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"THE ISSUE IS THE POLITICAL PRISONERS OF AMERICA. AND PEOPLE AS ONE TO STAND FOR THE RELEASE OF ALL POLITICAL PRISONERS."

HUEY P. NEWTON,

MINISTER OF DEFENSE

BLACK PANTHER PARTY

POLITICAL PRISONER

INSIDE THIS ISSUE..

HUEY P. NEWTON TO THE R.N.A.

ARTICLE FROM COMRADE KIM IL SUNG FROM THE D.P.R.K.

FREE OUR SISTERS

On Nov. 22, over 5000 people told pig chief Ahern and the fascist court system--and the racist power structure of New Haven and Connecticut which controls them--to FREE THE NEW HAVEN PANTHERS. People from all over the northeast came together to protest particularly the cruel treatment of our imprisoned sisters, but also to demand the release of all 13 New Haven Panthers, and all political prisoners. Black Panther Party Chapters and Branches, and Women's Liberation groups from Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, and Washington D.C. participated in the march and rally. Organized by the New Haven Chapter of the Black Panther Party, and Women's Liberation groups mostly from New York, the action exposed the blatantly fascist acts of the Connecticut pigs (local, state, FBI and CIA) against the people's servants--the Black Panther Party.

We gathered at Beaver Pond Park and, shortly after 12:30 began to march toward downtown. The march, led by Welfare Mothers, followed by Black Panther women and Women's Liberation groups, with the men in the rear, had high spirits and was constantly chanting slogans such as "FREE OUR SISTERS, FREE OURSELVES, and POWER TO THE PEOPLE. Right On! We conducted an educational campaign all along the lines of the march, selling Panther papers, and handing out informational material on the trial, and moved into the shopping areas in downtown New Haven. We stopped at every intersection, chanting and singing all the time. Traffic was jammed up for almost 2 hours as we made our way to the last bastion of American Fascism -- the State Court House.

At the State Court House, Beth Mitchell, Communications Secretary of the Harlem Branch of the Black Panther Party ran down the situation of the seven Panther sisters (2 of whom are pregnant, --Francis Carter just had a baby boy--" Che Alprentice Carter") now imprisoned in Niantic State Women's Farm; the situation of the other 3 New Haven Panthers imprisoned and spread around the Connecticut State Prison system; and the situation of people in general here in racist, fascist, decadent Babylon. She also related how our sisters are:

isolated from other prisoners; kept awake by constant bright lights and noise outside their windows; denied their legal right to interview counsel; denied their civil right to choice of doctors; denied their physical right to exefrise, fresh air, rest, and proper clothing; denied their human right to their children; denied their constitutional right to prepare for their defense - and read a list of demands for the rally:

WE DEMAND immediate freedom for the Connecticut Panthers and for all political prisoners. WE DEMAND an end to their isolation and sleepless nights. WE DEMAND adequate diet, exercise, and clothing. WE DEMAND their right to choose counsel. WE DEMAND their right to prenatal and maternity care by doctors of their choice. WE DEMAND the right for these mothers to make their own arrangments for the custody of the children in accordance with their wishes and the wishes of the Black Panther Party.

The acting Area Captain of the Black Panther Party in Boston, Audrea Jones, also rapped on the nature of fascism, its use of racsim, and the necessity for proletarian internationalism. Other speakers included representatives of Women's Liberation and the Young Lords, and a former inmate at Niantic State Women's Farm.

Slick and slimy pig chief Ahern kept his cool and kept his 7 panel truckloads of pigs in the back of the State Court House. Meanwhile the people rallied, covering the steps and statues of the courthouse-acts which would have been illegal 3 days before. The pig judge, Palmer, Judge for the Panther case, several weeks ago laid down the following ground rules: No demonstrations of any kind within 500 ft. of the courthouse; no sketching, note-taking, or other communications equipment will be allowed in the courtroom-including still and movie cameras; Entry and exit from the courtroom permitted only before court is in session, after court is over, and during recesses.

On Thursday, Nov. 20, the judge decided to revise the order to be effective only on days and during times when court is in session.

So now we have forced the oppressor to back up--to revise toward our favor, one of his own fascist, repressive rules for the court. And so that is our next step also--to force him to back against the wall and FREE OUR SISTERS, FREE THE NEW HAVEN PANTHERS, and FREE ALL POLITICAL PRISONERS!!!!!

ALL POWER TO THE PEOPLE!
SEIZE THE TIME!
POW's FOR PANTHERS!

Cappy Pinderhughes
Lt. of Information
New Haven Chapter
Black Panther Party



BETH MITCHELL
Comm. Secretary,
Harlem Branch



THE PEOPLE ARE SAYING, "STOP THE WAR AND FREE ALL POLITICAL PRISONERS"

NEW HAVEN PANTHER TRIAL

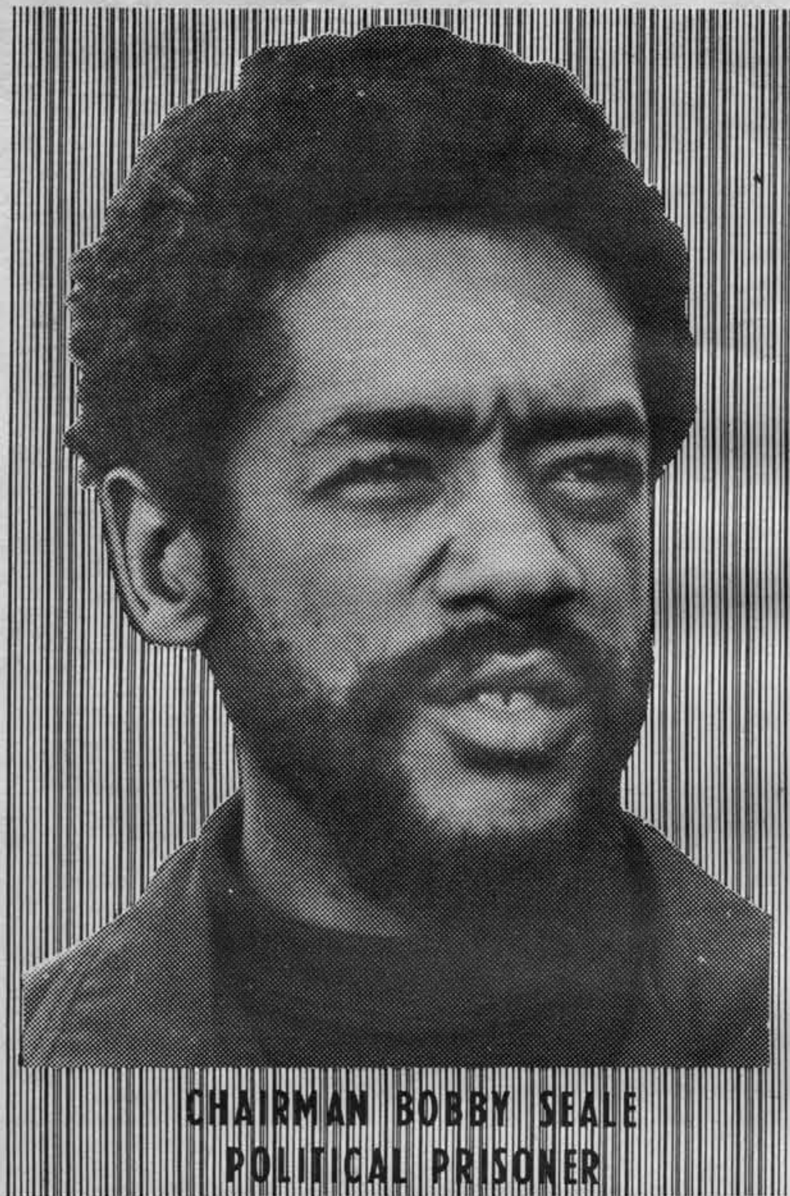
As the government steps up its efforts to silence radicals all over the country, it is trying to do so with increasing "smoothness." In New Haven, they are trying to destroy the Black Panther Party both locally and nationally by convicting 14 Party members, including national chairman Bobby Seale, for the murder of Alex Rackley. Months before the trial is to start, the government, through Judge Aaron Palmer, has issued a court order designed to strip the defendants and their supporters of some of the few weapons they are left with to fight government suppression.

The court order covers several broad areas with devastating simplicity: No public statements can be made by anyone officially connected with the case on either the defense or prosecution side; no demonstrations can occur within 500 feet of the courthouse; no photography or sketching is allowed in the courtroom; no one can enter the courtroom unless they are searched, and finally, no one, including the press, can enter or leave the courtroom while the trial is in session.

Anyone who has followed a political trial, most notably the current Chicago conspiracy trial, will realize immediately the damaging effect this court order will have on the defense effort if it is allowed to stand. The government is trying in the New Haven trial to avoid the "complications" and embarassments they have suffered in Chicago by gagging the New Haven defense effort months before the trial even takes place.

It has apparently not been enough to deny Seale and the other conspiracy defendants their rights during the trial. The government now feels it must in future political trials deny the defendants

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TO CHARLES R. GARRY

Affidavit on Nov. 26, 1969, Wednesday
San Francisco, County Jail

I don't know if I'm allowed to write any letters out or not. But when they took me out of the hole, and told me I was still on isolation, they gave me back some of my commissary, which included pencils and letter tablets paper, and some candy.

I'm sure they are going to put me back in the hole for quite a few more days. They say the reason I was taken out of the hole was because of the swollen throat and tonsil trouble. I was running a high temperature, having to sleep on the floor, and it's cold at night in that box with nothing in it, but a hole in the floor where one has to deficate.

The first day in that wretched hole called "Isolation," I was in an inch of toilet water and body defication, which is a form of cruel and unusual punishment that no human being on the face of this earth should be subjected to. That whole first day, the hole in the floor, of the Isolation cell (commonly called the "hole",) would flush up, not down. The pigs defication and spit would flood the floor After about 2 hours some of of the water would evaporate as a little would sink back, but outside someone would do something to slush up the crap all over again. I knew this was form of their fascist cruel and unusual punishment. There are other "Isolation" cells in many other jails, not all, but they at least have blankets and mattresses and a bunk, where one really doesn't have to sleep on the cold concrete floor where one really can't sleep especially when the "hole" in the floor flushes up the crap.

One officer who came on the later shift opened the door and saw the crap and the pissy water all over the floor, and I know the stench and the smell of hours old wet defication that lay on the floor must have gotten to him, so he diceded to pull me out of it for 10 minutes, until a few trusties got it unplugged.

My legal papers that I write for Charles R. Garry, have not been given back to me. I have told the guards here, I want them given back to you Charles, and they know it.

Everything you asked me to work on, I've started, but not completed. 1. What I thought the Party should do since the moritorium, and I in fact made an outline of some things just like instructions to the Party on how we could hold an economic boycott during Christmas in protest over the war against Black people here in America, let alone our oppressed brothers in Vietnam.

ALL POWER TO THE PEOPLE
Bobby Seale

CONT. FROM PAGE 2

their lawyers, and their supporters their rights to free speech and assembly even before the trial takes place. The government mistakenly feels that this will make it easier for them to put radicals in jail. In order to combat this effort, one must look at this new repressive effort in some detail.

The Palmer court order is, first of all, incredibly one-sided. The prosecution has used the time since the arrests last May to impress its version of the Rackley murder case on the public mind. On the day the case broke, the local paper spead mug shots of the arrested Panthers across the entire front page. The text of the story told the police version of the murder in explicit detail, including alleged tortures, taped statements, and descriptions of a mutilated body. For months, while the police continued to plant stories about the Panthers in the press (often printed as undisputed fact) the court made no silencing move.

During this time, the Panthers and their supporters were struggling to put together a defense group. This naturally took time, because the Party, with its local members in jail, had to start rebuilding from scratch. The Panthers eventually stated their story: that Rackley, a member in good standing of the Black Panther Party, was murdered by police agents. Naturally, the press ignored this statement.

When the Black Panther Party and two support groups finally began to get press coverage this Fall for their criticisms of the press and police and for their demands for justice for the Panthers, Judge Palmer issued his court order which tries to silence those most involved in the defense of the Panthers. He did this (allegedly to assure the defendants a fair trial) without even consulting the defense lawyers, which is the common practice with this kind of court order.

It is not surprising, therefore, that Palmer's order, although it superficially applies to both sides, is a blessing for the prosecution and a curse for the defense. It will seriously limit the defense from this point on unless it is abolished.

For example, the Coalition for the Defense of the Panthers, a left-liberal defense group, recently arranged a meeting with State's Attorney Arnold Markle to demand the release of the Panther prisoners on recognizance or bail. When the Coalition showed up for the meeting, however, it was told by Markle that he simply could not discuss the case with it because of the recent court order.

On the defense side, none of the local groups working to free the Panthers can discuss the case publically with the lawyers involved, and no quotations are allowed from any of the people working officially on the defense. The order is worked so broadly that this ruling even covers law students and others doing volunteer work on the case. This is limiting right now, but even worse, once the trial starts, it will prevent the daily press conferences that have been so important in the Chicago conspiracy defense.

The ban against picketing within 500 feet of the court house is not only unconstitutional--it is ridiculous. No one can rationally argue that a demonstration across the street from the courthouse could interfere with the "proper functioning" of the court in any way. Nonetheless, signs have been posted around the courthouse prohibiting such demonstrations. Anyone familiar with downtown New Haven knows that this limitation effectively prohibits a demonstration on the New Haven green or anywhere else in the immediate downtown area.

The section of Palmer's order requiring a search of everyone attending either the hearings or the trial itself (which incidently is "voluntary," but if you don't submit to a search, you don't get in) is a blatant attempt by the government to legitimize a racist premise: that the Panthers are a prior dangerous, and furthermore, that anyone concerned with the Panthers, whether lawyers or spectators, is also dangerous. That this violation of the Fourth Amendment is supposedly made to protect the defendants is a government trick that will fool no one, but its prejudicial effect on public opinion cannot be denied.

The limitation on coverage of the trial to the point of forbidding sketches in court and prohibition of coming and going during the trial is a pathetic attempt by the government to cut off any possibility of direct media coverage of the trial. Anyone who has attended the Chicago conspiracy prosecution can tell you that it is a hell of a lot more shocking to actually see Bobby chained and gagged than it is to see drawings of it on Huntley-Brinkley. But apparently the government is afraid to let even this little bit of direct coverage get out.

The Panther prisoners are now in jail, totally in the hands of the State. They will be tried by a legal system that has been stacked against them from the start. With these two strikes against them, there is only one path left to the Black Panther Party and their Movement sisters and brothers who want to aid them: a massive appeal to public opinion concerning the nature of the case and the Panthers in general. Such work would hopefully influence public opinion in New Haven and might even reach a few prospective jurors. This approach is frustratingly indirect, hard to pull off, and is of limited value, but it is the only weapon the Movement has left in such a situation.

It appears to have worked in cases like the Oakland Seven conspiracy trial in 1967.

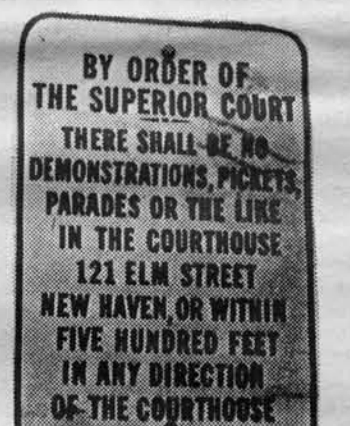
The government, through the Palmer court order is trying to throw the third strike against us, so that they will not only be able to destroy the Panthers but will be able to do so quietly and with a minimum of the embarrassing "confusion" that is going on at the Chicago conspiracy trial.

The Panthers, their lawyers, and their Movement allies do not plan to let this happen. The Palmer order has already been challegned in court as unconsitutional on several grounds. It has been attacked as vague, biased and as a violation of the consitutional right to free speech. Specifically, the fact that the judge issued the order having consulted only with the prosecution violates a Supreme Court ruling in Walker vs. Birmingham.

But of course legal moves against this court order will not be enough. The Coalition to Defend the Panthers plans a public attack on the order. The Coalition and the People's Committee to Free the Panthers will show that the Palmer order is not only a violation of the Black Panther prisoner's rights but also an infringement of the rights of those in the community who are concerned about the case.

This kind of public attack by the Coalition and the People's Committee has, incidentally, begun to flush out other community groups that had previously remained silent on the case. Such groups as the Human Relations Council, the Council of Churches, and the Yale Law Women's Association, to name a few, have begun to make statements demanding justice for the Panthers. While these statements are not as politically oriented as one might hope, they do show that despite restrictions like the Palmer court order, the Movement in New Haven has begun to reach many different kinds of groups concerning the treatment of the Panthers.

The Movement will be on trial next Spring in New Haven as it is on trial now in Chicago. The government will continue to try to silence the Panthers, and they will subsequently try to silence those who come to the aid of the Panthers. Fighting this repression, especially when it is couched in court orders which as so hard to deal with, will be difficult. Movement groups inside and outside of New Haven will have to work together carefully and politically. It may well seem at times that the



government has all the weapons on its side, like gags and chains for Bobby Seale, and that it keeps inventing new weapons, like the Palmer court order in New Haven. But the more they jail people for their political beliefs, and the more they deny people the right to a fair trial and to free speech, the more powerful the weapon of spreading th truth becomes for those of us who are still on the outside.

John Bancroft

TO THE PEOPLE OF BABYLON

There are people all across this country who have decided within themselves, that there is something much more important than getting high, and pimping women and generally doing their own thing. They have come to realize that there is something wrong somewhere, when the flag that they have been pledging their allegiance to is involved in every war around the world. Wars which have no humane reasons to be going on. Millions of people cry, "Stop the War" and the war still continues to go on. Whose government is this?

These people have decided that in order for people to have the best humanity can offer, somethings have to be sacrificed for the sake of humanity, and everyday you hear about these people, being murdered, being unconstitutionally jailed, being harasssd by pigs who have no regard for human rights.

But while pigs are wiping out the groups of people, you can sit back and get high, pimp the women, and generally do your thing until they crash in your mother's door and show no respect for your human liberties. Then you will be by yourself and you won't have a gun to pick up, you'll be there looking into the eyes of a racist dog pig. What will you do then? SEIZE THE TIME BEFORE TIME SEIZES YOU.

NOW IS THE TIME FOR ALL BLACK PEOPLE TO FIGHT FOR THEIR LIBERATION.

DARE TO STRUGGLE DARE TO WIN.

Fish

EMORY

ON FRENCH PIG HARASSMENT

When we got off the plane in Paris and were walking to customs (there was a TWA lady as we walked off the plane) there was a man downstairs on the phone. We were the last ones off the plane and as we passed by them to come up the stairs they began to follow



EMORY AND JUDY DOUGLAS

us and the TWA lady was in front of us. As we got to the first flight of stairs she stopped and went down the stairs to the right of us. The stairs led right back down to the TWA men and she came up behind us with them. They checked our passports and as we went through the gate these two pigs plus the TWA lady were at the gate. We went through and they didn't say anything to us at that time. So me, Judy, D.C, Julia, her mother and her husband went over and sat down. We were talking and I was giving them some information and materials. Then the pigs came over and vamped and said that we had to go downstairs to customs and have all our luggage and our bags checked. At that time we went downstairs and the first thing they did is they took Judy off into a separate room. They went through



DC, FIELD MARSHALL B.P.P.

all of her cosmetics and made her take off all of her clothes. They took off her shoes, socks and everything and kept her in the room for about a half an hour going through these changes. In the meanwhile me and D C were in another room. They asked us if they could check through our bags and we told them to go ahead; that they had no right to open them. They told us if we didn't open them that they were going to arrest us and something was going to happen. This is the way it came down. So we opened up the bags and they checked through them. One of the men spoke very plain English but everytime they wanted to say something or do what they wanted to do they wouldn't speak English they would begin to speak French. The would look at us like we understood it and they would continue to do what they wanted to do. Everytime they did that we would call Ellen or Julia into the room so that they could interpret what was happening. That way it kept kind of clear to us what they were doing. They began to take all of our stuff out and they photographed everything. They looked in D C 's phone book and all the materials he had in his possession. They looked in all the materials that we were bringing over here and took our clothes off. They looked in Julia's bag and Ellen Wright's bag. We told them when they looked in our stuff to put it back where they got it from. They told us that they didn't have to and if they wanted to they would throw it all over the place. So they continued to look in our stuff. They took samples of the record, Xmas cards, newspapers, and posters. We told them that they could not keep these materials and that these materials were for someone who we had to have them for. We told them that if they wanted to confiscate them that they would have to pay for them and we gave them the prices of it. They looked at us and laughed as if to say, oh yeah, and said, "we'll have to see about that."

We left out of customs and by then we had missed our first flight already. When we got out we ate and made reservations for a later flight for about 7:00 that evening to Algiers. We arrived in Paris at about 12:00 noon and we missed the 3:20 plane being hung up in customs. By the time we were getting ready to leave and were going through customs they hung us up again. When we got up to customs they stopped us, and checked our passports as if they had never seen us before. They knew we hadn't left the airport because they had been following us all the time we were there. We were under heavy survallence the whole time. When we were trying to go through customs, we filled out our slip, they looked at our passports and we went through. When D.C. went through one line they took his passport and started writing down a whole lot of stuff. They knew that there was a slip that was supposed to be filled out by all three because we had just filled our slips out. D.C. came out a few minutes later and as we got halfway down the hall the man comes running after us. He was telling D.C. that he forgot to fill out the slip and to come back and fill it out. That took up more time, When he had filled it out we began to walk down the hall. We had to walk to the extreme end, about a quarter of a mile or more to get to where Air France was leaving for Algiers. When we got there, there was no plane. D.C. was the first one to get there and he was out there talking to the pilot of another plane which he thought was our plane. He told us that the plane was going to Germany and he took us back inside and hooked us up with somebody who brought us back upstairs and told us where to go to correspondence. When we were on our way to the correspondence desk they were greeting us with smiles as if they already knew what was happening. We told them that we had missed our plane. They said, no, we were out waiting for you and you did not show and the TWA people told us that you weren't going to show. We told them that we wanted to change our tickets over to Air Algiers. They smiled and said, go right ahead. What we didn't know at the time is that Air Algiers was controlled by Air France. So we went downstairs and made a few calls to Ellen and Julia but they weren't home. So we went and made reservations. We went to Air France first and we asked where do we go to make reservations and they told us right across the hall. We went over there and we talked to the people at Air Algiers about reservations. The lady had split and came back as if she were leaving. She picked up her coat and put her coat on, picked up her brief case and was fixing to walk out. We told her that we wanted reservations on the last flight out to Algiers, which was 2:00 She made a motion toward her desk as if to pull out her book and write us some reservations. She looked right across the isleway at Air France and obviously someone had given her the word or a sign and she said, no we're all full. That meant that we had to miss our flight and stay here in Paris. The first thing that came into our minds is that they might have wanted us to stay here because they might have something in store for us tomorrow when we had to go to the airport or it might be the same arrest that they're talking about now. They seemed to be very happy that we were not coming to Paris but now once we got here they must have changed their plans and they don't want us to leave. So there might be something up we don't know.

Emory Douglas
Minister of Culture
Black Panther Party



PIGS PROTEST FELLOW RACIST

TRUE RACIST

Pigs are pigs all over the world and it's easily understood that the only difference between Alioto's racist pigs and France's Finest Fascists is their accents. Everything else is generally the same including their Boss-man, Tricky-dick Nixon.

The latest bit of international harassment and intimidation against the Black Panther Party is proof enough. On Nov. 27th, French customs pigs working in close co-operation with racist employees of Air France managed to harass, and delay our Minister of Culture, Emory Douglas, his wife Judy, and Field Marshall Don Cox, (D.C.) they were delayed long enougn to miss the only two out-



going flights of the evening to Algiers. The pigs knew that they were going to meet and report to Eldridge Cleaver, our Minister of Information, and give him up-to-date and detailed reports of the brutal, fascist treatment of our Chairman, Bobby Seale. This is information that exposes the true nature of this racist American society and is eagerly awaited by all progressive and revolutionary poeple of the whole world.

The French pigs stole materials from the Panthers that included papers, revolutionary X-Mas cards, and albums by Elaine Brown (Deputy Minister of Information, So. Calif.). They photographed phone books, notebooks and other materials, searched all luggage. They subjected Judy Douglas to a strip-search which French Pigs and Air France employees found exceedingly funny.

Had it not been for Ellen Wright (widow of Richard Wright) and her son-in-law, and daughter (Henry and Julia Herve), the Panthers might possibly have been railroaded into jail for not understanding the language (French) of the law. Luckily they had the benefit of translators for some of the proceedings. The translators were also subjected to a pig search of their person and property because they met the Panthers at the airport. All in all, the pigs were pigs, but even those delaying tactics wouldn't have been successful had it not been for the co-operation of Air France employees who consistently handed out misinformation and lies and then played the old "don't speak english" game.

Emory, Judy, and D.C. were finally able to leave Paris for Algiers the next night after surviving the French Pigs and Air France run-around, but it's a damn shame to receive this kind of treatment at such high charge to the victim. Air France employees must be the highest paid freelance pigs in history.

POW'S FOR PANTHERS
ALL POWER TO THE PEOPLE

PIGS PROTECT AIR FRANCE

On Dec. 1st, demonstrations were held in the vicinity of Air France offices in cities throughout the country. Pickets protested the racist treatment given our Minister of Culture, Emory Douglass, his wife, Judy, and Field Marshall "D.C." Like birds of a feather; pigs of capitalist litter flock together and racist Air France and the local fascist pigs are no exception. Wherever demonstrations were held they met with repression from the local gestapt. As is often the case the most blatant fascist were the swine of the San Francisco "tac squad." The pigs that walk like people always managed to have their three foot "law and order" sticks in a position so that passing picketers seemed to just bump into the ends. Bumping into this "hardwood law and order" is not only uncomfortable, but it's also grounds for being charged with assult on a pig. (Emory Douglass has just such a case pending now). If you are not arrested for forcing your ribs, legs, head, etc. against the pigs club, then you are greeted with racial insults and threats from an unbelieveably ugly and smelly racist pig, who leers and chuckles from behind a plastic face sheild that is decorated with a tiny symbol of true fascism the AmeriKKKan flag.

POW'S FOR PANTHERS



N.Y. PANTHER 21 TRIAL MAKES FALSE START

New York--"We plead guilty to being Black in racist America, that's what we plead guilty to...," protested one defendant amid the uproar inspired by Justice M. Murtaugh of the New York Supreme Court when he asked 14 Black Panther defendants to come forward to make their pleas. They had just been handed a new and somewhat heavier indictment in the bombing conspiracy case cooked up last April by Manhattan D.A. Frank Hogan to eliminate the New York Branch of the Black Panther Party.

The Nov. 17 hearing was originally expected to mark the beginning of the New York Panther 21 trial. A militant Panther-led picket line with about 700 participants marched all morning back and forth in front of the courthouse.

But Monday afternnon proved to be just one more exhibition of the court's racist arrogance and readiness to crush political opponents by any means necessary. The defendants followed the pattern set at previous hearings by containing their anger as the judge handed down the new indictment.

But when the patient and well-precedented arguments of defense lawyers Gerald B. Lefcourt, William Crain and Sanford Katz for an immediate and vast reduction of the astronomical bail (under which the defendants have been jailed for the last eight months) failed to make any impression whatsoever on the bland authoritiarian behind the bench, the Panther defendants rose from their seats and shouted impassioned denounciations of the court's racism.

When many of the 100 spectators in Murtaugh's courtroom, which was chosen for the Panther trial because it is just about the smallest courtroom in New York City, joined the defendants in clenching fists and chanting, "POWER TO THE PEOPLE!", Murtaugh ordered the squadron of 21 uniformed marshals on duty to empty the court of the spectators.

"You don't respect us. How do you expect us to respect you?" Asked one defendant again and again while the courtroom was being cleared.

A couple of minutes later, the spectators gone, the Judge tried to gavel the court back to order, but the Panthers continued to defy his pretense of authority with remarks that challenged the legitimacy of the court. The defense lawyers continued to raise points that the Judge was unable to contest. He ignored them instead.

When the defense asked the court to set reasonable bail for a defendant who was originally arrested while being treated for an epileptic seizure and who has since had 15 fits, without treatment, several of which took him near death, the Judge merely looked the other way.

The defense argued for reduction of bail, which in most cases is set at the impossible fee of $100,000 (doubly impossible because no bondsman would write the bond for fear of losing his license), on the ground that a week before Federal Judge Marvin E. Frankel had reduced to between $20,000 and $50,000 the bail of four Whites arrested and accused of having set off bombs in eight corporate and government buildings. Each had been held on $500,000 bail at first, but as Judge Frankel ruled, astronomical bail is no bail at all, a "patently obvious decention" in direct conflict with the Constitution.

The defense insisted that the court take note of a New York statute that guarantees every defendant a trial within 180 days except in extreme cases, that the defendants were being held under maximum security in seven different prisons, that the defense was being obstructed from preparing its case because prison authorities did not allow the lawyers and the defendants to meet as a group, and that the impossible bail was clearly nothing but punishment without a trial.

Murtaugh sat like a stone. Even when he spoke, he sat like a stone. He blamed all delay on the defense and hinted that the defense could expedite the trial if it wanted to by simply refraining from defense (by not making motions or conferring with clients, etc.).

The defense counsel noted that there is in reality a "dual system of justice"; he reflected on the searching of spectators before the hearing began, which skipped some Whites but touched every Black. One defendant called Murtaugh "a white-haired racist pig" and another shouted: "You are sitting so calm and cool and collected because you don't have to stay in jail eating that slop for eight months."

But the Judge's decision was final: grant no defense motions. Give no explanations. Just turn them down.

The Judge reread the original bail figures without comment. He then asked the defendants to plead guilty or not guilty to the charges of the new indictment. Another commotion. The epileptic Panther pleaded guilty to his epilepsy. Others pleaded guilty to being Black. One pleaded guilty to having dignified a kangaroo court by remaining silent in all the other hearings since the original conspiracy indictment in April.

The Judge rose to his feet and glared at his accusers. He gavelled and scowled and ordered the marshals to escort the Panthers back to their cells. One defendant whipped around to confront a marshal: "Don't you touch me you motherf--king racist pig!" The mashal lowered his arm.

As soon as the Panthers were gone, Justice Murtaugh gave the defense attorneys a lecture. He called their remarks "inflammatory" and blamed the outbursts from the defendants on the words of the defense.

"Those words were facts," observed the defense.

"You have an obligation to defend your clients," the court admitted with Agnew-like temperance," but you have an equal obligation not to insult the court and your society". The Judge set Dec. 15 as the date of the trial.

While the Nov. 17 indictment has yet to be fully analysed, it looks very much like one returned last April. The original accused 21 members of the New York Black Panther Party of conspiring to destroy the "power structure" and specifically, the New York Botanical Gardens, a stretch of Long Island Railroad track, and midtown stores of Macy's, Alexander's, Bloomingdale's, Korvette, and Abercrombie & Fitch at the height of the Easter shopping season.

The new indictment expands the D.A.'s hoax to include a 22nd Panther defendant and to add a subway switching-control room to the list of alleged targets. All 22 are charged with first-degree conspiracy, arson, attempted murder, reckless endangerment, possession of illegal weapons, and criminal mischief. Enough to lock them up for life.

Anyone familiar with the Black Panthers knows that terrorism is completely contradictory to the Party's programs and methods, which are based on serving the people, not killing them, and that the "conspiracy" is a fabrication, a big lie, a classical tactic of fascism. D.A. Hogan made a number of announcements in April calculated to play on the absurd but widespread fantasies in the public mind. More than once, headlines screamed from the cover of the New York Daily News, which has the largest circulation of any American daily, totally unsubstantiated charges against the Panthers.

It's hard to guess what sort of jury that will turn up in December.

Reprinted from LNS

FREE THE PANTHER 21

On April 2, 1969, 21 members of the Black Panther Party were vamped on by all the "law enforcement" agencies of the racist U.S. government and indicted for "conspiracy" to blow up department stores, railroad tracks and the Botanical Gardens. Law enforcement lunatics representing the CIA, FBI and state and local pigs staged coordinated assaults on the homes of more than 30 Panthers in the New York City area. We do not blow up facilities where our own people work, for we are here to serve the needs and demands of the people.

On looking at how this government is run and studying all the foul and deceitful things it has done, it should be no problem to the people in figuring out how ridiculous a conspiracy charge is. The 21 Black Panthers who were indicted for conspiracy to blow up department stores, can rightfully be indicted on conspiracy to serve the people and expose this government for all the foul things it has done and continues to do daily in other countries and right here in our Black communities. The Black Panther Party serves the people through programs such as our Free Breakfast Program for Children, Free Health Clinics, Liberation Schools and other Programs which we are implementing throughout our many Black communities.

The 21 Black Panthers who were indicted and who have been indicted again on new charges are servants of the people. In fact, they were in the process of serving the people when they were kidnapped from their homes at 5:00 am. During the weeks before they were put in preventive detention, the Panther 21 were working very hard in many areas of the community, particularly in dealing with setting up the Free Breakfast for Children Program. The Power Structure thought that taking these beautiful brothers and sisters away, that they could take the idea of the Free Breakfast Program away from the people. The spirit of the people is greater than the man's systematic repression. We laugh at the pigs in their blind attempts of trying to blacken the name of the Vanguard and the people's revolution. There are now two Free Breakfast Programs in Harlem and we are now in the process of establishing one in the Bronx community.

So we say Free The Panther 21 because they have been treated in an unconstitutional and inhuman way. Free The Panther 21 because they truly love the people. Free The Panther 21, because they serve the people. Free The Panther 21, because they are truly makers of the revolution.

The last court date of the 21 was on November 17th, the courtroom was packed and the area outside of the court building was packed with people chanting "FREE THE PANTHER 21 AND ALL POLITICAL PRISONERS" "We don't recognize this court." "This court has no authority over us."

Richard (Anatye Dahruba) Moore

New York PRESS RELEASE

Thirteen brothers and sisters have been held in "preventive detention" for a ransom of $100,000.00 each on trumped-up charges of conspiracy to blow up department stores, railroad facilities and the Bronx Botanical Gardens.

White people who are charged with the same types of alleged crimes as the Panther 21 are granted reasonable bails. The four defendants charged with the actual bombings of eight buildings downtown had their bail reduced from $500,000.00 to $25,000.00 and $15,000.00. When the four White defendants appeared in Federal Court before Judge Marvin Franke, he stated that, "it is apparent that in this instance, as in many others familiar to all of us, the statement of the astronomical numbers is not meant to be literally significant, it is a mildly cynical but wholly undeceptive fiction, meaning to everyone "No Bail."

But 14 Panthers, who have not committed any crimes, have been held in preventive detention for eight months and the racist courts of the ruling class have systematically denied these brothers and sisters a reasonable bail.

These 14 political prisoners will appear before Judge Frankel on a show cause order on Tuesday, November 25, 1969. The racist courts of N.Y.C. will have to show cause as to why these brothers and sisters have been constantly denied their constitutional rights.

We are asking all people who are concerned wih constitutional justice to come to the federal courthouse in support of the Panther 21.

POW'S FOR PANTHERS



KIM IL SUNG

On Furthur Consolidating And Developing The Socialist System In The Democratic People's Republic Of Korea

The socialist system is a most advanced social system under which power is in the hands of the masses of the people, production is developed steadily in a planned way on a high scientific and technical foundation for the purpose of systematically enhancing the welfare of the people on the basis of the public ownership of the means of production, all descriptions of exploitation and oppression have been abolished once and for all, and each works according to his ability and takes his share according to the quality and quantity of work done.

Unlike capitalist society where the people have neither political rights nor freedom, the socialist system substantially provides genuine democratic rights and freedom to the masses of the people in all spheres of politics, economy and culture. In our society, the entire people participate freely in the politics of the country, exercise state power for their revolutionary cause, choose their occupations and professions according to their ability and aptitude, and work, study and live with full enjoyment. In capitalist society where the means of production are private property and the aim of production is to squeeze out more profits for the capitalists and landed proprietors, the masses of the producers are obliged to work to keep body and soul together and have no interest in the development of production and techniques. In socialist society, however, the means of production are public property and the working people work for the country and society and for themselves. This brings the masses of the people to give full play to their inexhaustible creative initive and talents to develop production steadily and swiftly. In socialist society all branches of the national economy and all enterprises are organically linked with each other on the basis of the community of aims and interests. So there is no anarchy of production and overproduction crisis as in capitalist society, the national economy develops planfully and proportionately and all the manpower and material resources and the potentialities of production in the country can be tapped and turned to account most efficiently. Moreover, under the socialist system there exists neither exploiter nor exploited and the fruits of labour go entirely to the enhancement of the welfare of the working people, and the living standards of the people rise systematically with the rapid growth of production.

The capitalist path is the path of exploitation and oppression, slavery and ruin, while the socialist path is the path leading to the abolition of class exploitation and national oppression, to the freedom and happiness of the entire people and complete independence and prosperity of the country.

The two diametrically different realities in North and South Korea furnish a striking example of it. In the northern half of the Republic, the most progressive, socialist system has been established which is free from exploitation and oppression and the foundations of a powerful independent national economy have been laid, and the people in the northern half enjoy genuine freedom and happiness, whereas South Korea has been turned inot U.S. imperialism's colonyand military base for aggression, its economy has utterly been dilapidated, and the people are groaning under terrorism and tyranny, deprived of all political freedom and even elementary democratic rights, and are suffering from hardships of life never known in thousands of years.

Historical experience shows that a people who have got rid of the colonial yoke of imperialism must take the socialist path. A people who have won independence should actively strive to crush the subversive manoeuvrings of foreign imperialism and dovestic reaction, strengthen the revolutionary forces and establish a progressive social system, and build an independent national economy and national culture. This alone will enable them to advance dynamically along the shor cut to the freedom and happiness of the people and national independence and prosperity without repeating the bitter history of throe and distress which capitalism has inevitably gone through.

Capitalism has already lived out its days and is rushing ever more precipitately every day along the road to its doom. Socialism and communism represent the bright future of mankind, and it is an inexorable law of historical development that all nations head for socialism and communism.

In future too, we will continue to advance steadily along the socialist path without the slightest vacillation.

TAG GEORGE SAMS

George Sams, Bootlicker, agent of the ruling class is one more of those niggers whom history seems to recreate time after time to infiltrate organizations of struggling peoples to help the oppressor to destroy that organization. Bootlicking, backstabbing George testified and pleaded guilty to a charge of second degree murder Monday, Dec. 1, in New Haven, Conn.

This is one more step in the carefully coordinated plans of fascist hog John Mitchell, co-captain with hog Hoover of a team of judicial pirates who are attempting to kidnap our Chairman Bobby. These fascist pirates of justice, unsatisfied with their Chicago Caper will now attempt to use their "shuffling Sammy" puppet and his false testimony to extradite the Chairman to Conneticut. Here, they plan (through demagogic George) to silence fifteen of the strongest, most dedicated and effective revolutionaries in the Peoples' Struggle for Liberation.



GEORGE SAMS

Sams has always shown himself to be a true fool and counter-revolutionary. The Party was charitable enough to take him in and attempt to teach him to respect the people, his comrades, and himself. His disrespect for the people was evident in his lack of concern and generally slipshod service to them. His disrespect for comrades was shown when he stabbed a true Panther for no reason at all. And now, having lost every ounce of self-respect, this demagogic, fat-lipped fascist tool, has sunk to the lowest of the low ----he has become an agent of the ruling class with full knowledge of how he is being used in their vain attempts to crush the peoples' warriors.

Supposedly, Sams was sentenced to life imprisonment. If true, this only shows you where the ruling class dumps their tools and fools when they have outlived their usefulness. However, all the "shuffling Sammys" of the ruling class can never stop the people and their Vanguard in their struggles for the freedom of all political prisoners and liberation of all oppressed peoples.

ALL POWER TO THE PEOPLE.

LET US GO THIS WAY

Reprinted from Pyongyang Times

The negative is the red light to movement, that calls a halt to every kind of struggle, every kind of progress. That is why our thinking should always be started from the point where we challenge the reality on the affirmative premises and carry on the hard struggle for tomorrow.

If we consider and observe all things and phenomena only negatively, what will come out of it? The answer to this is logically clear.

If we accept the given reality as our fate and negate even the necessity of the development of history or renounce it entirely, our life will be vacant and all laws will be either a lie or a concoction.

It should not be overlooked that all the shocking trends of national ruin and social degeneration prevailing in our society today are a product of the negative thinking. We should always affirm the history of tomorrow and reckon with the past and present in the context of time. For the flow of time and history will never be interrupted.

Operating here of necessity is the law of causality.

In the past the Japanese imperialists, exploiting the natural-geographical conditions and economic potential of our country, pursued an out-and-out predatory policy. As a result, we were left with a deformed colonial economy, and when we got out of their clutches, another foreign force came. More abominable than its predecessor, it chopped our land in two. This was all that it brought us as a gift. Not only that, it went farther, and on the sweet-sounding pretext of mutual help and benefit it dumped its consumer goods to smother our national economy and pandered to the consumptive tendency of the people, and gave birth to an abnormal, new relationship of master and servant between a certain country and us (South Korea). How can we shut our eyes to that which has caused all this?

The declining "national spirit" and "our culture" which is decaying and trampled underfoot are, of course, not a sad lot to regret limited to us alone. This sadness and consciousness of the national crisis are common to all the underdeveloped countries of the world today.

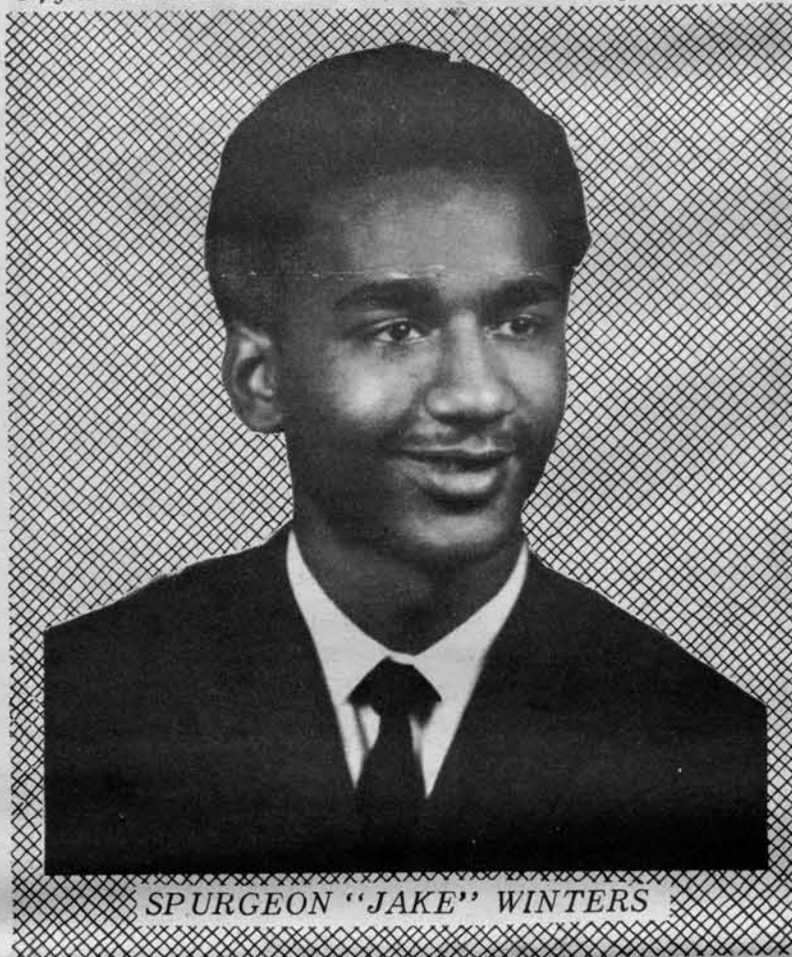
The talk of nationalism and national identity advocated unanimously by all weak and small nations in the second half of

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JAKE WINTERS MURDERED BY FASCIST PIGS

"When they killed Jake, they took the best that humanity possessed."

Spurgeon "Jake" Winters, 19, member of the Illinois Chapter of the Black Panther Party, paid the most that one can pay towards the liberation of oppressed people-his life. At 3:30 a.m. November 13, Jake was murdered in a shoot-out in Chicago where three pigs were killed and seven were wounded.



SPURGEON "JAKE" WINTERS

The shoot-out was precipitated by an ambush made by the Standing Army of Chicago (Chicago Police Department) on an abandoned building at 5801 S. Calumet. Arriving on the scene with the armaments and men (more than 1000 policemen equipped with .12 gauge shotguns, M-1 carbines, .357 magnums, billy clubs, mace, tear gas, paddy wagons, helicopters and canine units) for domestic warfare against the people in the Black colony, these fanatical pigs started their attack by opening fire on the brother in the building. Party comrade, Lance Bell, 20 was wounded by the pigs as they shot wildly in that area.

With these seemingly insurmountable odds, Jake defended himself as any person should do. In essence, he had no choice; it was kill or be killed. And realizing such, Jake tried to enact a basic premise of war: preservation of self and destruction of the enemy. But although Jake was equipped only with a shotgun and was murdered, the results attest to the fact that the people with their intense desire for freedom can combat the greatest forces of aggression.

A June 1969 honor graduate of Englewood High School, Jake worked in the Breakfast for Children Program and for the Free Health Clinic; he was a member of the Education Cadre. In essence, he was a Servant of the people.

America's tradition of oppression compounded with brutality and murder is strengthening and stabilizing, although it is directly contradictory to the people's desire for peace and freedom and is in violation of the universal laws of human decency. But the tradition is one that will continue, just as the observance of the mockery, "Independance Day" until the people eradicate it. And eradication means resisting as Jake did...resisting, if necessary, until the last breath.

There can be no compromise with the forces of oppression or the forces of fascism. The enemy must be wiped out thoroughly, completely, and resolutely. And we say, "Right on, Jake."

Jake, a dedicated brother, will never be forgotten and not primarily for the things named. But primarily because he lessened the forces of aggression and because he said as Alprentice "Bunchy" Carter, John Huggins, Sylvester Bell, Lil Bobby Hutton, and Larry Roberson said:

"WHEREVER DEATH MAY SURPRISE US, IT WILL BE WELCOME PROVIDED THAT THIS, OUR BATTLE CRY, REACH SOME RECEPTIVE EAR, THAT ANOTHER HAND STRETCH OUT TO TAKE UP WEAPONS AND THAT OTHER MEN COME FORWARD TO INTONE OUR FUNERAL DIRGE WITH THE STACCATO OF MACHINE GUNS AND NEW CRIES OF BATTLE AND VICTORY."

Long Live The Revolutionary Spirit Of Jake Winters

ALL POWER TO THE PEOPLE
Illinois Chapter
Black Panther Party

FASCIST TACTICS

On Tuesday, November 11, at approximately 6: 30 p.m. Claude Artist and myself were putting up posters about the two Free Breakfast Programs in New Haven, when a pig drove up. After he got off the radio he got out of the car and asked what we were doing. I told him very plainly that we were putting up posters about the Free Breakfast Program. He told us to stay where we were. We inquired if we were under arrest and the pig said "no", so I said that we were leaving, and we didn't have to listen to him. The pig then said I was under arrest. He got back on the raido and within 15 seconds 12 cars of pigs were on the set.

People from the community came out of their houses to see what the pigs were doing in their community. The pigs tore the posters down and stepped on them. I pointed out to the people the low-natured and foolish actions of the pigs, and that these actions would not stop the Free Breakfast Program. The pigs didn't like this and started waving clubs in my face, telling the people to go home or face arrest. I told the people to go home because they couldn't possibly deal with those armed pigs. I yelled "ALL POWER TO THE PEOPLE", as the pigs escorted me to a pig wagon. I heard people cussing at the pigs outside the wagon. I yelled out again, "ALL POWER TO THE PEOPLE, and for them to go home.

Then a sister said, "Why did you arrest her?" The pigs grabbed the sister Regina Burruss who lives at 280 West Portsea St. and beat her in the legs and stomach with their clubs. What could a 5' 4" sister 5 months pregnant possibly do to 45 armed pigs? A miscarrage may result from the atrocious, unwarranted, unjust, inhumane actions of these pigs against sister Regina. (Pig-a low natured animal with no concern for human life). Eugene Burruss, Regina's brother asked the pigs why she was arrested and why such actions had to be taken against her, he was thrown into a truck. Two other brothers and a sister were also arrested and beat by these fascist pigs. Several others were also beaten and brutalized but managed to escape.

We can clearly see that these pigs who occupy our communities are not there to protect the people or defend the peoples' interests, but are only there to keep us poor and oppressed. Point #7 of the Black Panther Party Platform states: "We want an immediate end to police brutality and murder of Black people." A feasible solution to this problem is community control of the police. The police would have to come from or reside in the community in which they are working. The people of each community would deal with the police through their elected councils. If the pigs refuse to implement this plan, we can end police brutality in our Black community by organizing Black self-defense groups that are dedicated to defending our Black community from racist police oppression and brutality. The Second Amendment to the Constitution of the United States gives a right to bear arms. We therefore believe that all Black people should arm themselves for self-defense.

ALL POWER TO THE PEOPLE
POW'S FOR PANTHERS

Elise
New Haven, Chapter
Black Panther Party

LONG LIVE THE SPIRIT OF JAKE WINTERS

"The Racist Dog Policeman Must Withdraw Immediately From Our Communities, Cease Their Wanton Murder And Brutality And Torture Of Black People, Or Face The Wrath Of The Armed People." Huey P. Newton, Minister of Defense, Black Panther Party.

Point No. 7 of our Ten Point Platform and Program says, "We want an immediate end to police brutality and murder of Black people."

On November 13, 1969, brother Jake Winters was felled by those dirty treacherous creatures called pigs. The brother was a profound revolutionary. He worked seven days a week for the people. He participated in the Black Panther Party Free Breakfast for Children Program, and was helping contract the people's Free Medical Care Clinic.

November 13, brother Jake was killed in the line of duty, serving the masses and defending the Black community from the aggression of those murderous pigs who make mass interventions into our communities under the disguise of law and order. The pigs who on their weekly search and destroy mission to spread terror and murder and brutality throughout the Black community, departed with their pants down and their a--es showing.

Brother Jake immediately began to defend the Black community against these Nazi storm troopers of Nixon's fascist regime. He put his life on the line and dealt the pigs the biggest loss they have received since their defeat at the Henry Horner housing projects. The people who were on the scene then began to defend their lives and property. There was a battle in which Jake and the people destroyed three of the enemy soldiers and sent eight to the hospital. In the ensuing battle brother Jake was killed.

It is proven fact and a reality that Daley's task force makes daily and weekly raids on the Black community. They murdered little John Soto who was sixteen years old, Micheal Soto who was 20 years old and shot viley and unconcerned into every window of the Henry Horner projects, injuring scores of children. They murdered Jimmy Tucker, they murdered Wayne Black, Linda Anderson and untold others.

Brother Jake a true revolutionary and a member of the Black Panther Party was a public servant and a guardian of the liberties of the people. He showed the responsibility and the dedication of the Black Panther Party to the interests of the people in the oppressed communities. Like the masses at Henry Horner, brother Jake moved like a true Panther to destroy the aggression of the pigs and rid the community of that unwanted scurvey.

With the spirit of the highest personification of the Black Panther Party as illustrated by the actions of Jake Winters we intend to move forward to serve the masses and hold ourselves responsible to the people. We intend to carry on Jake's work to defend the Black community from the most inhumane, vile, wicked government the world has ever seen.

By lifting their hands against Jake Winters they lifted their hands against the best that humanity had to offer. We are determined to liberate our communities. LONG LIVE THE SPIRIT OF JAKE WINTERS!

Lawrence Bell

Brother Lawrence Bell, who was on the scene with Jake Winters when Daley's private army came into the Black community to brutalize and murder our people, is being held for two counts of murder. We know he didn't do it. The pigs know he didn't do it. Witnesses on the scene, Thursday, November 13, say he didn't do it. The pigs are holding him because brother Jake sent three of their slimy partners to cold storage and put eight on the wounded list. The pigs don't like it when they lose. They are used to killing our people and getting away with it. Justifiable homicide. But this time they were caught. The masses were on the scene. Brother Lawrence was an eye witness and they want to kill him. They don't like for the people to see them committ crimes against Black people. These reactionary monsters think we are going to let them send Lawrence Bell to the electric chair. They are wrong, dead wrong. If they try to kill Lawrence Bell we will release the armed wrath of a thousand Jake Winters. We will set up a thousand Henry Horners and set thousands of angry Black proletarians on them. The pigs don't like our people to be in a position to defend themselves. We don't give a f--k what they like. We intend to defend ourselves and we don't care how many pigs are killed. We want them all killed.

If you kill Lawrence Bell you have to face the wrath of a thousand Jake Winters.

ALL POWER TO THE PEOPLE
"REVOLUTION IN OUR LIFE-TIME"
Illinois Chapter
Black Panther Party

FASCIST PIGS VAMP ON ALBANY BLACK PANTHER OFFICE

On Monday, Nov. 10, the Albany Branch of the Black Panther Party opened their office in order to begin to meet the needs and desires of the people of their community.

On Thursday, Nov 20, early in the morning the paper tigers (who seem to come alive every now and then) left their scar, right in front of the office. Two big bricks had been thrown in the windows and bullets had shattered and penetrated through the glass. The bricks were found inside the office but no sign of any bullets could be traced.

It took these dirty, slimy, motherf--kers 10 days to try and stop us from serving the people. did it work? Hell no! This morning, Thursday, Nov. 20, we held our 4th day for the Free Breakfast Program. The pigs saw just how much progress was being made in the community. Liberation school, Free Breakfast Program, new Panthers in Training damn near every day, and large attendance for our P.E. classes held every day, plus moral and financial support from the community. What more could scare a pig, a preventer of progress. (Or one who tries to prevent).

This, we know is not the end, but the spirit of the people is greater than the man's technology. We are the advocates of the abolition of war, we do not want war, but war can only be abolished through war, and in order to get rid of the gun it is necessary to take up the gun, so we say; BLOOD TO THE PORKCHOPS ASS, AND WOE TO THOSE WHO CANNOT COOK, so there has to be some barbecue.

INTENSIFY THE STRUGGLE!
Branch Secretary
Jackee Harper

WILL IT BE THE FLOWER OR THE THORN

I am still pissed-off at the reception given David Hilliard at the November 15th Vietnam Moratorium Be-In. I'm sure you remember the occasion, it all happened at the Polo Grounds in Golden Gate Park following the grand parade that was complete with balloons and colored plastic discs. Bob O'Lear and Diane Fowler wrote separate articles in the 11/20/69 issue of the GOOD TIMES covering the grand event. After reading both articles two or three times I now understand even better why David was nearly booed and why on the other hand Wayne Morris received something close to a standing ovation.

Diane attributes the hostile reactions to David's speech to three main points: his use of street language, the fact that David chose to blow the people down rather than elaborate upon the ill treatment Bobby Seale received at the hands of pig Hoffman, and lastly, David's request for all the people to stand during the Black Panther Party National Anthem sung by Elaine Brown. Bob, on the other hand, seems to feel that it was David's statement "WE WILL KILL RICHARD NIXON. WE WILL KILL ANY MOTHERF--KER THAT STANDS IN THE WAY OF OUR FREEDOM" that was the major turn-off of the day. No matter how you look at it there is one thing for certain, the masses of peace advocates assembled at the Polo Grounds had absolutely no interest or concern for REVOLUTION, in fact, the mass reactions to both David's speech and SDS's chants were in essense saying F--K THE BLACK PANTHER PARTY, F--K REVOLUTION - GIVE SOME PEACE. Herein lies the core of the problem for there are two major left movements in Amerikkka; on November 15th they bumped heads.



PEACE AND SLAVERY, WASH., NOV. 15, 1969

An acknowledgement of the existence of these two movements, an understanding of what separates them and a program for unity are all badly needed if the left is to be a relevant force against a right-ward moving Amerikkka.

The peace movement as such has one primary concern--PEACE. Protest against such things as the Vietnam war, racism, and poverty are launched from a position that is affixed dead center in the Amerikkkan Judaic - Christian capitalist system, and as a consequence the peace movement is clearly reformist. Members of this camp seem to feel that wars such as the one in Vietnam are a result of political blunders on the part of uninfomed politicians or war mongering military leaders. They view racism as a cultural lag that can be corrected by a little liberal education and poverty as primarily a result of inadequate training and poorly run poverty programs. All of their critiques are based on the assumption that all of Amerikkka's ills have a cure for them within the present socio-economic-political system. With this kind of political consciousness it is easy to see why so many people were turned on by the YOUNGBLOODS' "Get Together", for they really believe that smiling on your brothers and loving one another will have an effect on Amerikkkan politics. They also feel, along with David Crosby, that "politics is bulls--t." These are the people that got uptight with David Hilliard.

The revolutionary movement on the other hand has a completely different critical stance regarding the ills that currently plague Amerikkka. Revolutionaries launch their criticism from a position clearly outside the boundaries of reformism. They have totally given up on the idea of Judaic-Christian culture and Amerikkkan capitalism; they feel that the main problem is not one of existing deficiencies within the present system but rather the deficiency of the system itself.

The main philosophical problem of the peace movement is clearly and simply: "How do we get what we are after peacefully?" Which necessarily means that their desire for peace takes precedence over their subordinate desires for the elimination of such things as racism, poverty and oppression in general. The revolutionary movement, on the other hand, has a different philosophical consideration: "How can we best bring about a revolution?" Which is to say, how can the existing capitalist system be transformed into a socialist system with a radically new revolutionary culture to accompany it? Violence for the revolutionary is a military question, whereas to the pacifist it is first and foremost a philosophical one. The pacifist sees violence as the most horrendous act man can engage in, while the revolutionary sees violence as a logical outgrowth of a contradictory situation which necessarily causes the ruling class to resort to violence in order to maintain its power (which is the only weapon available to a decadent ruling elite once the masses are in motion towards liberation). Liberation for a revolutionary means freedom from the tyranny of a bourgeois state apparatus that, in the final analysis, maintains all the pockets of power. A pacifist would call for PEACE TO THE PEOPLE while a revolutionary demands POWER TO THE PEOPLE. From this we can see that the main contradiction confronting the two movements is the pacifist struggle for PEACE and the revolutionary struggle for POWER.

The Black Panther Party is a revolutionary party struggling on a nitty-gritty dirt level for the basic principle "that every man, woman and child on the face of the earth deserves the very highest standard of living that human knowledge and technology is capable of providing. Period." With the further understanding that "Anything that stands in the way of that principle is a contradiction in terms of the survival of the people. It's evil and it has to be removed." (Quotations from Eldridge Cleaver's book, "Post-Prison Writings & Speeches"). This is where David was coming from, for him the issue was one of how to get the pigs off the people--shoot the motherf--cker with a bullet or beat the s--t out of him with a flower, either way, as long as the end result is POWER TO THE PEOPLE AND A LAST OINK TO THE PIGS.

The masses of people at the Polo Grounds were clearly in the reformist pacifist camp which is but a reflection of the basic make-up of the NEW MOBILIZATION COMMITTEE TO END THE WAR IN VIETNAM. Their primary concern was ending the Vietnam war for they see problems as isolated aberrations unto themselves and refuse to make holistic analysis; this is to be expected given their goal--PEACE. As stated earlier in this article PEACE for the pacifist takes priority over everything else for if you use the mass indignation toward David's speech as a measurement of pacifist prerogatives you will be able to understand just what I mean. Was it not David's speech that caused the most indignation and was it not the logic of David's message that caused the uproar? As we all should know by now the Panthers, Los Siete, Weathermen and other revolutionaries involved in the struggle--not to mention the masses of people who are daily subjected to oppressive conditions--both domestically and internationally have been faced with aggressive forms of pig harassment that has led to a situation in which the motto is kill or be killed. The Vietnamese people certainly had no control over the imperialists' invasions by both France and Amerikkka; violence for them was clearly defensive, it was either kill or be killed. The Black Panther Party faces that same type of situation in Amerikkka. Almost daily one can read accounts of pig harassments against the Party. It, therefore, becomes a defensive act when the Panthers arm themselves so that they may protect their lives; it is then a matter of armed self-defense, kill or be killed. To be a revolutionary is to be in constant war with the capitalist class (imperialists), and as David said, "We ain't here for no god-d--ned peace, because we know that we can't have no peace because this country was built on war. And if you want peace you you got to fight for it". Which has to mean that a revolutionary must be ready to kill "any motherf--ker that stands in the way of...(his) freedom."

When Bob O'Lear wrote concerning David Hilliard, "...we liked him all right, but...he's wrong if he thinks we're going to just sit by while he tries to convince people we want to get out there and kill for peace (even our version of it)" he was expressing the fact that he (in my opinion his article is most likely an accurate articulation of the basic position of the pacifist movement) wished not to be identified in any way with the revolutionary movement and that further more it would be cooler if the revolutionaries stayed home the next time; but if they must come (this is Diane Fowler's position) then they should subordinate themselves to the ends of the pacifists.

When revolutionaries call for people to arm themselves while on the other hand pacifists are demanding peace at nearly all costs it is clear that the two movements are moving in an antagonistic manner against one ano-

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LETTER FROM BLACK LAWYERS

The Honorable Augustus F. Hawkins
House of Representatives
Washington, D.C.

Sir:

On Saturday, November 8, 1969, the California Conference of Black Lawyers meeting in Berkeley, California, unanimously passed the following resolution:

"WHEREAS, the California Conference of Black Lawyers was convened to determine ways in which Black lawyers could effectively use their skills to help eradicate racism, throughout the United States;

WHEREAS, the denial of constitutionally protected rights to Black people is a form of racism which Black lawyers are seeking to eradicate;

WHEREAS, one of the most blatant examples of racism in the form of the denial of the right to counsel protected by the Sixth Amendment to the United States Constitution occurred in the Northern District, Eastern Division of the United States Court in the trial of Bobby Seale, presided over by United States District Court Judge Julius Hoffman, when said Bobby Seale was:

(1) Denied the right to have his trial continued until the counsel of his choice had recovered from an illness and could be present to represent said Bobby Seale;

(2) Denied said Bobby Seale the right to represent himself in the absence of the counsel of his choice;

(3) Bound and gagged said Bobby Seale in the courtroom;

(4) Found said Bobby Seale in contempt of court and sentenced him to four years in prison;

NOW, THEREFORE, BE IT RESOLVED, that the California Conference of Black Lawyers urges the Honorable Augustus F. Hawkins to negotiate whatever action is necessary in The House of Representatives to begin impeachment procedures for the removal of Judge Julius Hoffman from office."

I hope that you will give this very urgent matter your immediate attention.

Very truly yours,

Stanley R. Malone, Jr.
Co-ordinator California Conference for Black Lawyers



THE PEOPLE HAVE THE RIGHT TO THE BEST

The Black Panther Party, Philadelphia Branch has opened another People's Free Breakfast Program.

The Breakfast has been running for about two weeks, even though the Pigs and avaricious hogs of 7th St. Businessmen's Association tried to crush the Program, but the power of the people shall come to always overrule the pigs.

The response of the children has been very well and the people in the community relate to the Program very well. The latest attempt to sabotage the Program came over the week-end (Nov. 22nd or 23rd) when pigs broke into the Breakfast location and destroyed food and just ran amuck; but the spirit of the people proved strong once again. First thing. Monday morning, the children were being fed.

So take heed, pig. You can't stop the will of the people, and we say be careful that the next time you come you're not blown away, because the people shall be watching you from now on.

POW's FOR PANTHERS

Rolando Montae
Breakfast Coordinator
Philadelphia Branch
Black Panther Party

ALL POWER TO THE PEOPLE

It may seem that by a letter sent out by Reverend(?) John R. Cochran, that the whole idea of the BLACK PANTHER PARTY Free Breakfast for School Children Program is defunct or lost. But the BLACK PANTHER PARTY has unlimited faith in the people. We are not in the position, and will never be in the oppressive conditions that now relegate and rule this country by fascist iron hand. We are totally dedicated to fulfilling the basic needs and desires of the people--period.

We don't utter empty phrases that mean nothing. We believe in putting theory into concrete practice. The pastor of the house of hypocrites, Emmanuel Lutheran, says that he supports black power and self-determination. Nixon, who is a standing enemy to the needs of the people has long said that he supports black power. This was just a sales pitch to get that pig into power.

As for self-determination, the people have shown by petition their desire to have such a program in their community. The church took the arrogant position that they didn't want us seeding kids because we related to Marxism - Leninism. Right on, we relate to Marxism-Leninism. Better to that than to Christianity which feeds you fancy phrases about Pearly Gates. If your children are not given a good, hot, nourishing breakfast they may visit all too soon, those same Pearly Gates.

The people of Fourth St. have yet to witness that spectacle that Jesus brought about, dealing with those 2 loaves and a fish. Two loaves and one fish feed five thousand. The Emmanuel Luthern Church feeds the fat fascist pigs who are moving on us daily. The Philadelphia Branch of the Black Panther Party feeds kids, but but yet we're Marxist - Leninist. The Philadelphia Branch of the BLACK PANTHER PARTY clothes kids. But yet we're Marxist - Leninist.

What are you, John R. Cochran?

Communication Cadre
Philadelphia Branch
BLACK PANTHER PARTY
1928 West Columbia Ave.
Philadelphis, 19121, Penna.
CE6-3358

ALL POWER TO THE PEOPLE!!

SERVING THE PEOPLE

A new Black Community Information Center has just opened in the Bronx community. The purpose of this Black community information center is to meet the basic needs and desires of the Bronx community and to provide information material concerning the welfare of this community. Our members are now in the course of building up a community relationship with those living in the Bronx area by selling and giving away copies of the Black Panther Party Newspaper and by inviting the members of the community to come in and familiarize themselves with the Black Community Information Center. We will be holding Liberation School every Saturday at the Black Community Information Center at one o'clock for young children in the community, ages 4-14. We are providing free clothes to be given away in answer to the recent welfare cut. Community meetings will be held every Saturday at 3:00 p.m. to discuss actions taking place in the Bronx community and move on those things that are not beneficial to the Bronx community. We hope that all interested members of the community will come out and participate in these very important meetings.

The Black Community Information Center is here to serve the people and any problems at all that the people of the community may have regarding housing (rent, landlords, heat, etc.), school problems, police harassment, general community welfare problems, such as: torn-down buildings, traffic-lights, churches, garbage problems, etc. We hope that you will contact us at: 1370 Boston Road at the new Black Community Information Center. This Center is to serve you, the people, and you alone. Anything we can do to help the community will only be fulfilling our duty to you.

WE SERVE THE PEOPLE

LEAD THE PEOPLE

Free Clothing in Philly has taken a noticeably needed role in fulfilling the needs of the people, and showing the failure of the fascist power structure to do so. While the power structure, which



is prepared to totally annihilate the Black Community, is beating unarmed Black men, as some Philly fascists did to Bernard Sisco, the Black Panther Party is feeding kids over Pennsylvania, and equiping them with adequate clothing. Strangely enough, it is the Party which receives the short end of the straw by the mad media. We are shown as the racists, the 'Black fascists', the hoodlums.

We see this as an informal wedlock between the pigs with the sticks and the pigs with the pen, and I want to say that, if you didn't read it in the Black Panther, or the Philly Freep, it ain't true, it's bulls--t.

This young sister in the picture, has never received a single necessity from the Philly fascists. Perhaps her father was beaten, or her blind brother. Panthers all over Babylon have educated correctly, for people are opening up people's programs, people's breakfasts, by, of, and for the people.

Right on to the People's Programs!

Not having a correct political point of view is like having no soul.

SEIZE THE TIME!
POW's FOR PANTHERS!
ALL POWER TO THE PEOPLE

Black Panther Party
Philadelphia Branch
1928 W Columbia Ave.
Phila., Pa. 19121
CE6-3358

West Cook

TWO BROTHERS VAMPED ON BY BLACK PIG NIGGER

On November 19, 1969 about 2:10 Wednesday afternoon brothers William Cook and Cedric Herndon who hold the respected positions of Panthers in Training were vamped on by nigger pig, Nasby Williams.

The brothers were on their way to Yonkers to sell papers. They were then stopped by crazy nigger pig Nasby Williams. Brother William Cook was told he was soliciting funds without a license. All the brother was doing was asking the local merchants to donate to the Free Breakfast Program, and the other charge was loitering. These phoney, fake, jive charges are only low level oppressions. This is why point seven of the Black Panther Party Platform and Program clearly states, "We want an IMMEDIATE end to police brutality and murder of Black people." This is why the people must support Decentralization of The Police Department.

This harassment is obviously to retard the attempts and efforts of the Black Panther Party with its Free Breakfast Program, Free Clothing Programs, Free Medical Clinics and Decentralization of the Police Department. But we say later for the pigs and ALL POWER TO THE PEOPLE.

ALL POWER TO THE PEOPLE

Black Community Information Center
45-b East 3rd Street
Mount Vernon, New York
664-9498 and 761-0594

PIG BEATS FARM WORKER

November 23, 1969

A volunteer worker for the United Farm Workers Organizing Committee AFL-CIO was viciously attacked by a security guard, while passing out leaflets at a Safeway Market on Newhall and Williams Avenue, in San Francisco, last Saturday. Mr. Douglas Hayes was participating in the Farmworkers' Thanksgiving activities, by passing out leaflets in front of Safeway stores, asking the customers not to put grapes on their Thanksgiving tables. A security guard from the Safeway Stores approached Mr. Hayes, asking him to leave the premises. Mr. Hayes refused, pointing out the recent Supreme Court Reversal Decision, which allows individuals the rights to leaflet in front of Supermarket doors. When Mr. Hayes refused to leave, the security guard, responded by striking him repeatedly over the head and shoulders with a billy club, threatening to kill him if he didn't leave. This took place in front of the Safeway manager, who stood and viewed the situation through the glass doors, taking no steps to protect Mr. Hayes from the attacks of the security guard. Mr. Hayes was taken to the San Francisco General Hospital's Emergency Ward, where he was treated.

FREE HEALTH CLINIC

The Seattle Chapter of the Black Panther Party has opened a Free Medical Center at 20th and Spruce Streets, the same place where we have our information center.

We have all the medical facilities an x-ray machine, and a microscope.

We went to all the pharmacists in the community, and they donated the necessary drugs. So far we have ten doctors and ten volunteers.

If you would like to send in a donation or for further information get in contact with:

Black Panther Party
1127 1/2 34th St.
Seattle, Washington 98122
(206) 323-6280
Aaron Dixon

HUEY P NEWTON

TO THE R. N. A.



This is Huey P. Newton, at Los Padres, California 1969, September 13.

Greetings to the Republic of New Africa and President Robert Williams. I'm very happy to be able to welcome you back home. I might add that this is perfect timing. And we need you very much, the people need you very much. And now that the consciousness of the people is at such a high level, perhaps they will be able to appreciate your leadership, and also be ready to move in a very revolutionary fashion.

Some time ago I received a message from the Republic of New Africa with a series of questions concerning the philosophy of the Black Panther Party; and very detailed questions on certain stands, and our thinking on these positions. At that time I wasn't prepared to send a message out. I'v had to think about many of the questions, and due to the situation here it's very difficult for me to communicate, so that explains this lapse in time between question and answer. I won't be able to expound on all the questions, but I would like to give some general explanations to the Black Panther Party's position, as related to the Republic of New Africa.

The Black Panther Party's position is that the Black people in the country and we feel that the Republic of New Africa is pefectly justified in demanding and declaring the right to secede the union. So we don't have any, contradiction between the Black Panther Party's position and the Republic of New Africa's position that I know, it's simply a matter of timing. We feel that certain conditions will have to exist before we're even given the right to make that choice. We also take into consideration the fact that if Blacks at this very minute were able to secede the union, and say have five states, or six states. It would be impossible to function in freedom side by side with a capitalistic imperialistic country. We all know that mother Africa is not free simply because of imperialism, because of Western domination. And there's no indication that it would be any different if we were to have a separate country, here in North America. As a matter of fact, by all logic we would suffer imperialism and colonialism even more so than the Third World is suffering it now. They are geographically better located, thousands of miles away, but yet they are not able to be free simply because of highly technological developments, the highest technological developments that the West has that makes the world

plantations to the Black Panther Party's position, as related to the Republic of New Africa.

The Black Panther Party's position is that the Black people in the country are definately colonized, and suffer from the colonial plight more than any ethnic group in the country. Perhaps wiht the exception of the Indian, but surely as much even as the Indian population. We too, realize that the American people in general are colonized. And they're colonized simply because they're under a capitalistic society, with a small clique of rulers who are the owners of the means of production in control of decision making, they're the decision making body. Therefore, that takes the freedom from the American people in general. And they simply work for the enrichment of this ruling class. As far as Blacks are concerned, of course, we're at the very bottom of this ladder, we're exploited not only by the small group of ruling class, we're oppressed, and repressed by even the working class Whites in the country. And this is simply because the ruling class, the White ruling class uses the old Roman policy of divide and conquer. In other words, the White working class is used as pawns or tools of the ruling class, but they too are enslaved. So it's with that historical thing of dividing and ruling, that the ruling class can effectively and successfully keep the majority of the people in an oppressed position; because they're divided in certain interest groups, even though these interests that the lower class groups carry doesn't necessarily serve as beneficial to them.

As far as our stand on separation, we've demanded, as you very well know, a plebiscite of the U.N. to supervise, so that Blacks can decide whether they want to secede the union, or what position they'll take on it. As far as the Black Panther Party is concerned we're subject to the will of the majority of the people, but we feel that the people should have this choice, sands of miles away, but yet they are not able to be free simply because of highly technological developments, the highest technological developments that the West has that makes the world so much smaller, one small neighborhood.

So taking all these things into consideration, we conclude that the only way that we're going to be free is to wipe out once and for all the oppressive structure of America. We realize we can't do this without a popular struggle, without many alliances and coalitions, and this is the reason that we're moving in the direction that we are to get as many alliances as possible of people that are equally dissatified with the system. And also we're carrying on, or attempting to carry on a political education campaign, so that the people will be aware of the conditions and therefore perhaps they will be able to take steps to controlling these conditions. We think this is the most important thing at this time; is to be able to organize in some fashion so that we'll have a formidable force to challange the structure of the American empire.

So we invite the Republic of New Africa to struggle with us, because we know from people whom I've talked to, (I've talked to May Mallory, and other people familiar with the philosophy of the Republic of New Africa) they seem to be very aware that the whole structure of America will have to be changed, in order for the people of America to be free. And this is again with the full knowledge and the full view of the end goal of the Republic of New Africa to secede. In other words we're not really handling this question at this time because we feel that for us that it is somewhat premature, that I realize the physiological value of fighting for a territory. But at this time the Black Panther Party feels that we don't want to be in an enclave type situation where we would be more isolated than we already are now. We're isolated in the ghetto areas, and we think that this is a very good location as far as strategy is concerned, as far as waging a strong battle against the established order. And again I think that it would be perfectly justified if the Blacks decided that they wanted to secede the union, but I think the question should be left up to the popular masses, the popular majority. So this is it in a nutshell.



HUEY P. NEWTON MINISTER OF DEFENSE, B.P.P. POLITICAL PRISONER

As I said before, I don't have the facilities here to carry on long discussions, I look forward to talking with Milton Henry in the near future (if it's possible, I know that he has his hands full now) or representatives of the Republic of New Africa. So we can talk these things over. There are many things that I don't know about the position of the Republic of New Africa, there are things I heard, things I read, I'm in total agreement with. I would like for the Republic of New Africa to know that we support Robert Williams and his plight at this time, that we support him one hundred per cent, and we're willing to give all services asked of us; and we would like to find out exactly what we can do that would be most helpful in the court proceedings coming up, what moral support we could give. Perhaps we could send some representatives, and we will publish in our paper, The Black Panther, articles educating people to Robert Williams' position or the criminal activities that he's been victim of for some eight or nine years. I would also like to request of the Republic of New Africa to give us some support in Bobby Seale, our Chairman of the Black Panther Party. Bobby Seale is now in prison as you know in San Francisco, he has a case coming up in Chicago, and one in Connecticut, and we invite the Republic of New Africa to come in support. We would like this very much, and whatever moral support they could possibly give, we would welcome it.

We should be working closer together than we are, and perhaps this would be an issue that we could work together on. The issue is the political prisoners of America, and people as one to stand for the release of all political prisoners. This might be a rallying point where all the Black revolutionary organizations and parties could rally around. Because I truly believe that some good comes out of every attack that the oppressor makes. It educates, it enlightens many people to his viciousness. So perhaps this will be a turning point in both our organizations and parties. So I would like to say, "ALL POWER TO THE PEOPLE, AND MORE POWER TO THE PRESIDENT OF THE REPUBLIC OF NEW AFRICA, ROBERT WILLIAMS."



Statement By Minister Mme Nguyen Thi Binh Chief of the Delegation OF Of The De Provisional Revolutionary Government Of The Republic Of South Vietnam At The 38th Plenary Session Of The Paris Conference On Vietnam

October 16,1969

The Nixon administration is trying its best to justify its policy of aggression in Viet-Nam. On October 13, President Nixon said: "We are on the path of peace." Mr. Rogers said that the U.S. "has de-escalated the war". But facts have flatly rejected these assertions.

The Nixon administration far from "de-escalating the war" of



aggression in South Viet Nam, keeps "maintaining maximum military pressure", carries on and intensifies the war. At the previous sessions, we have put forward irrefutable evidences of the U.S. increasing fierceness in its war of aggression: the acceleration of sweep operations, the intensity of bombings and shellings, the extensive spraying of noxious chemicals and gases to kill the South Viet Nam people. Within 6 days ending October 10, the so-called "reduction of B.52 aircraft's activities" was marked by their successive 55 raids with 8,500 tons of bombs, and on the night of October 13 alone, Phuoc Long province received 1,500 tons of bombs.

The intensification of the U.S. war of aggression can even be proved by the American authorities, statements. Mr. Laird has asserted that the U.S. "will press the war" and "will launch attacks" even if the American forces are not attacked (UPI, October 10).

Along with the above said intensification of the war, the Nixon administration frantically speeds up the programme of "Vietnamization of the war". It increases the training and equipment of the puppet army, urges the puppet troops on to the battlefield in larger numbers to die in the place of the G.I.'s. It pretends that this is a "de-escalatory" measure. But the "Vietnamization of the war" is in fact the prolongation of the U.S. colonialist war of aggression in another form.

In the political field, the Nixon administration spares no manoeuvres to mantain its puppet administration in Saigon. Where as the South Viet Nam urban population demands the formation of a peace cabinet, the Nixon administration staged the farce of "reshuffling the cabinet", changing Thieu-Ky-Huong into Thieu-Ky-Khiem, and in fact making its puppet administration still more dictatorial and warlike, so as to serve its war of aggression better. By orders of the U.S., the Saigon administration has ceaselessly committed sanguinary crimes in the so-called "accelerated pacification", carried out repeated repression against the press and the religious people, arrested and percecuted en masse all patriotic and peace-loving people.

The Nixon adminstration's policy obviously aims at prolonging and intensifying the war of aggression, so as to maintain its neo-colonialist domination in South Vietnam.

To serve that policy, the American delegates to this Conference have sought every means to counter the logical and reasonable proposals of the Provisional Revolutionary Government of the Republic of South Viet Nam and the Government of the Democratic Republic of Viet Nam for a correct settlement of the South Viet Nam problem. During all these 37 sessions, the American delegates obstinately have clung to these absurd demands for "mutual troop withdrawal", for the organization of elections by the U.S. puppet administration under the U.S. puppet regime and the control of the U.S. and puppet armies, in other words, they have kept demanding that the South Viet Nam people lay down their arms and accept the U.S. neo-colonialist domination.

In the face of the vigorous condemnation by public opinion, the Nixon administration has resorted to cunning schemes. It maskes a noisy clamour about "one round of troop reduction" after another. In fact, the "reduced" troops are insignificant if compared with the total half a million American troops of aggression in South Viet Nam: such a reduction affects in no way the U.S. war effort. The Nixon administration further plays the comedy of suspending B.52 air bombings for 36 hours then of resuming them again and clamoring about the "reduction of B.52 activities".

These are but tricks aiming at covering up its manoeuvre to prolong the war of aggression and the U.S. military occupation of South Viet Nam, while evading the basic problems. The question is that instead of a prolonged and piecemeal withdrawal, the U.S. must withdraw rapidly and totally its troops of aggression from South Viet Nam. The U.S. must put an end to its war of aggression instead of reducing a few military activities.

In an attempt to appease the indignation of public opinion, particularly among the American people, the Nixon administration strives to create an atmosphere of artificial optimism, pretending that the "programme of Vietnamizing the war has made progress", that "American casualties have been reduced", etc...

But the fact is that the U.S. war of aggression is stalemated and sinking more deeply into defeat. The list of the U.S., puppet and satellite troops' casualties keeps on lengthening. Their morale goes down lower and lower. The so-called "Vietnamization of the war" has proved more and more clearly to be an inevitable fiasco. The American magazine "Newsweek" wrote on September 29 that the Vietnamization of the war is "illusion", that the "performance" of the puppet troops "remains mediocre", that "the desertion rate still runs an appalling one man in five each year" and that the puppet troops will be unable to replace the American troops. The New York Times wrote in its recent issue that the Vietnamization of the war has proved to be of no effect at all, judging by its initial steps and its realities. The improvement of the equipment and the increase of the Vietnamese armed forces (that is the puppet army) have no meaning if there is no ideal to defend."

The more the Nixon administration tries to deceive people, the more it lays bare its erroneous policy, its obdurate position and its perfidious attitude.



II

The war of aggression carried out by the Nixon administration in Viet Nam has been strongly condemned by the whole world, the United States included. In an attempt to check the American people's opposition to this war, the Nixon administration, on the one hand, labels the anti-war Americans "defeatists" and, on the other, challenges that however powerful the anti-war movement of the American people may be, it will be unable 'to sway' its policy. In the meantime, the Nixon administration appeals to the American people to set up a "united front" to support its policy, in other words, to support the unjust war of aggression it is pursuing in South Viet Nam".

This war tramples upon the independence, sovereignty, unity and territorial integrity of Viet Nam, upon the genuine right to self-determination of the South Viet Nam people. It is the root of all the disasters and sufferings of the Vietnamese people. It "devastates systematically the land and man of Viet Nam."

This war is also a "catastrophe for the United States". It has caused considerable loss to the American people in human lives and property. Hundreds of thousands of young Americans have died an unnecessary death or become disabled. Millions of Americans are anxious about the facts of their sons, husbands or relatives. Materially, as revealed by a document of Congressional Records (June 30, 1969) about the fiscal exercises from 1960 to 1970, under the same period of time, the Viet Nam war expenditure is ten times more costly than the expenditure for education, and thirty three times more costly than the expenditure for housing and social development. The Congressional Records on September 5, 1969 also pointed out: "Beside all the tragedy this war brings to all the persons concerned, it threatens the stability of the United States economy and upsets the problems of national priority". The prestige and honour of the United States have also been impaired seriously by this war.

The U.S. war of aggression in Viet Nam also constitutes a threat to the peace in Indo-China, South east Asia and the whole world. It is the most obvious manifestation of the gross violation of international law, trampling upon justice and human dignity.

That is why the Vietnamese people are determined to resist the U.S. war of aggression. The people throughout the world resolutely support the just struggle of the Vietnamese people. For their part, the American people are united, not to support Mr. Nixon's policy of aggression, but to oppose it.

Yesterday, October 15, marked a new development in the movement of the American people demanding that the Nixon administration put an end to its war of aggression in Viet Nam. All over the United States, millions of people rose up in struggle, people from all walks of life: workers, students, intellectuals, businessmen, clergymen, social workers, politicians, including many Senators and Representatives, governors, mayors and members of city councils, etc. They left their jobs, boycotted classes, half-masted flags, wore mourning armbands, said prayers, held meetings and demonstrations in protest against the war of aggression, etc..Many Americans overseas including those in Saigon have taken part in this movement.

The American people are demanding that the Nixon administration put an end to its war of aggression in Viet Nam, "withdraw quickly and totally" U.S. troops from South Viet Nam, let their sons come back home and enjoy family life, and let the South Viet Nam people decide themselves their internal affairs, without foreign interference.

Mr. Sam Brown, a leader of the October 15 Moratorium said: "the imperative objective of the demonstration is to demand the United States to withdraw rapidly from South Viet Nam."

The Unions of the United Auto-Workers, Teamsters and Chemical workers which include nearly 4 million members issued a joint statement pointing out:

"We call upon our government to acknowledge realities and admit that there is nothing in Viet Nam that is worth one more drop of American blood...The only question to raise henceforth is not whether we are going to withdraw our troops, but how and when we will do it. We are united with those who claim that our troops must pull out rapidly and completely."

The slogans the American people used in this drive have proved the conformity between the legitimate demands of the American people and those of the Vietnamese people.

American people struggle to defend the honour of the United States, and save their sons from a useless death in Viet Nam. Their struggle provides more facilities for the development of friendship between Americans and Vietnamese. The Vietnamese people warmly hail the just struggle of the American progressive people.

III

As a victim of the brutal war of aggression waged for years by the U.S. government, the Vietnamese people, more than anyone else, deeply cherish peace. But not peace in slavery. For over the past quarter of a century now, they have endured all sacrifices and hardships, resolved as they were to fight back aggression since nothing is more precious than independence and freedom. And the South Viet Nam people have no other desire but to build an independent, peaceful, neutral, democratic and prosperous South Viet Nam, advancing towards the reunification of the Fatherland. They want to establish friendly relations with all nations in the world, including the United States on the basis of the five

CONT. ON PAGE 16

YOU'RE OUT THERE FOR HIM ! HE'S IN THERE FOR YOU !

Richard Chase was assigned to HHC, 1/66 Armoured 2nd A.D when he came to Ft. Hood in January, 1969. At that time he informed his First Sergeant and Commanding Officer that he would not take part in riot control training. Subsequently, he was granted unofficial Conscientious Objector status.

Around June of 1969, he became involved in the GI movement against the war in Vietnam and for the rights of the EM. He also wrote for the Fatigue Press, the Ft. Hood underground EM paper.

On Sept. 11, he was called into the orderly room and given a direct order to report to riot control training as a dissident. He refused and was told he would be given a General Court Martial for refusing the order.

Around two weeks after the charges were read to him he was put in the stockade for pre-trial confinement. Soon after going to the stockade he was placed in "C" Compound (solitary confinement). While in "C" Compound, he was beaten four times. After more than a week he was removed from solitary, but is still in the stockade where he will stay until his Court-Martial.

WHY SHOULD CHASE BE SET FREE?

Here at Ft. Hood riot control is the primary issue which affects the GI. It is through the use of riot control that GIs are used to suppress people fighting for basic human rights just as they are used for that purpose in Vietnam. When Black people demand that police be withdrawn from their community, when students demand that the educational system be changed, when workers demand enough pay to live and the right to their own organizations, and when the majority of people oppose the war in Vietnam, GIs are used to suppress them, to keep power in the hands of a rich few.

Last August, when Ft. Hood troops were sent to the Democratic National Convention, 43 Black GIs refused to go, refused to be used to suppress their brothers and sisters who were in the streets. The year before, Ft. Hood troops were sent to Chicago's Black ghetto for riot control after Dr. King's assassination. Federal troops were also used at the march on the Pentagon in 1967 and in Detroit in 1967. 10,000 troops were stationed in Washington for the November 15 march against the war this year. The national guard has been used in countless occasions in ghettos and colleges.

As more and more people become angered with the direction in which the U.S. is heading, GIs will be used more and more to suppress them.

Chase refused to be used for these purposes. He said that he would not be used to crush movements that he supported, and was actively engaged in building a GI movement to demand their legitimate grievances. The army has publicly admitted that Chase's case is a test case for the legality of riot control.

Another important reason why charges should be dropped against Chase is that he can't receive a fair trial. The General Court Martial is a Kangaroo Court, and the Uniform Code of Military Justice is a mockery of justice. In a General Court Martial a 2/3 majority is all that is necessary to convict a GI. If 1/3 of the board thinks that a GI is innocent, that should be enough "reasonable doubt" for at least a re-trial. It is in civilian court.

The Constitution calls for a jury of one's peers but officers and lifers consider EM's their peers only when they are trying them in a court-martial, other times the NCOs and officers are considered to be superior to the enlisted men.

When Chase was given the order to report for riot control, that order was illegal according to the Army's own UCMJ. Article 90 says that no one can be given an order which they are incapable of filling. Since Chase had unoffical C.O. status, his commanding officer knew that Chase was morally incapable of completing the order.

Finally, an investigation of the Fort Hood stockade should take place immediately. Across the country stories of brutality in the military stockades have been printed and some of them have been investigated. The beatings of prisoners and the general degradation that prisoners are subjected to must be ended.

Our demands are: 1. FREE RICHARD CHASE—all charges be dropped

2. END THE BRUTAL AND INHUMAN CONDITIONS IN THE STOCKADES - an immediate Senatorial investigation of the Fort Hood stockade.

AN INJURY TO ONE IS AN INJURY TO ALL

FREE CHASE



TO YOU!

ATTENTION:

If you have sons, husbands or friends who are prisoners of war in Vietnam, send us their name, rank and serial numbers. We will forward this information to Eldridge Cleaver, Minister of Information of the Black Panther Party; and attempt to exchange their freedom for the freedom of the Minister of Defense, Huey P. Newton and Chairman Bobby Seale, who are political prisoners here in "fascist Babylon."

ONE OF 300,000 VICTIMS

SP/4 CARLOS DIAZ

Carlos is one of us. He was one of the 300,000 of us who have been casualties. The Rockefellers and the generals sent him to Vietman. After a land mine blew off his legs he was no longer any good to them so they sent him home to a crowded EM hospital ward. Later they'll give him something like $200. a month, a clothing allowance, a wheel chair, and maybe a pat on the head and a chance to work for them in one of their factories.

At a $1.65 an hour.



AMERICA'S CASUALTY

Before

UNION BUSTING AT FT. JACKSON

FT. JACKSON, S.C., Sept. 10--Today American Servicemen's Union organizer Pvt. Maurice Wade reported a shakedown inspection of his company's barracks and harassment of ASU members at Ft. Jackson. The inspection was carried out under armed guard. Lockers were ripped open, and literature was confiscated, including the ASU newspaper The BOND, Felix Greene's book Vietnam, Vietnam, as well as other books on Southeast Asia.

Wade, who is stationed in E Company, 6th Battalion, 2nd Brigade at Ft. Jackson, said that "the interrogation of the men only made them angrier at the brass and the lifers, and stronger for the union". Wade was isolated from the other men by orders of the Company commander.

Bob Lemay, executive director of the American Servicemen's Union, said: "This attempt at harassment and intimidation is not uncommon to ASU locals, whom the brass recognize as the main threat to their continued privileges and the enlisted men recognize as the main hope to gain their rights. Just as the union-busting of Ford and GM failed, so will the union-busting attempts of the Army brass fail. We will provide organizer Wade with all the necessary material and legal assistance."

After

THE UNION LIVES

Gentlemen:

I caught the story you ran concerning me in your Nov. 1st, issue I wanted to tell you that among the materials being distributed were copies of Soul On Ice, The Black Panther, and Essays by Huey P. Newton.

The pigs singled out four White and two Black men in my outfit to testify against me, but despite pressure they all said, "f--k you" and the charges were dropped.

I and the men I work with in "The American Servicesmens" union owe a great debt to the Black Panther Party.

The words you have spoken and the acts you have performed are a constant reminder to us to fight until every pig is "terminated with extreme prejudice."

Peace & Freedom
Pvt. Maurice Wade
051-40-7807
Makima Firing Center, Washington

BLACK VETS...

HEROS IN NAM CRIMINALS IN U.S.

Memphis, Tenn.--A mistrial was declared after the first of four Black marines went on trial on charges of rioting, conspiracy, and assault. A White juror admitted he was prejudiced.

However, all four marines still face another trial starting Dec. 1 at Millington Naval Air Station north of here. The charges against them stem from a clash between White and Black marines at the air station last summer.

The accused men all served in Vietnam, all were wounded, and one was awarded the Bronze Star for bravery. They were sent to the hospital at Millington to recuperate.

They said the charges against them resulted from their defending themselves when they were attacked by 13 to 15 White marines armed with billy clubs.

The holder of the Bronze Star is Oscar Terry, 19, of Paducah, Ky. He was the first to be placed on trial after his attorney, William H. Allison, Jr., Lexington, Ky., asked for separation of the cases.

Four or five White marines had testified before the court martial of seven White officers. Suddenly one of the jurors, a lieutenant commander, broke down and admitted he was prejudiced; he said he could not render an impartial verdict.

The military judge, Capt. William Neely, granted a mistrial after Allison insisted that Terry could not get a fair trial under such conditions.

Allison and Kent Spriggs, of Oxford, Miss., another attorney for the marines, had also filed a suit in the U.S. District Court here to stop the prosecution. However, Judge William McCrea reserved a decision pending further developments at the Millington trials.

The other marines under charges are Arthur McCall, 20, Birmingham, Ala.; Charles Nickson, 23, Memphis, and Perry Backstrom, 21, Meridian, Miss. Charges against five others have been dropped and one of the accused, Joe Talton, died Oct. 31.

Attorney Allison is counsel for the Southern Conference Educational Fund (SCEF); he is representing the marines without fee.

Southern Conference Educational Fund (SCEF)
3210 W. Broadway
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CAMP PENDLETON MARINES DIG MORATORIUM

Note of Explanation:
"The Green Machine" is an organizing project currently operating out of a garage and staff house near Camp Pendleton, California. Their goal has been to set up a coffee house for Marines, but thus far the local power structure and Federal and Marine agents have kept them from renting various locations by pressuring potential landlords.

Ernest Scott, a Black Marine, is just getting out of the Corps and joining the staff of the project.

By Ernest Scott, staff member
The Green Machine
(Marine coffee house)

Marine coffee house project,
Oceanside, Ca.)



At approximately 8 p.m., November 14th, about forty or fifty Marines from the once-isolated base of Camp Pendleton went on an ecstatic trip to Los Angeles. Forty to fifty Marines are only a minor portion of the total number that wanted to make the trip. But due to the overwhelmingly high stupidity of the lifers, some of these individuals were frightened away. Just because capitalist militarism has brainwashed these lifers into believing that thought brings about mistakes and ignorance brings about progress, they have set up a goal within their green hearts to convert any snuffy (Ed. note: Marine enlisted man) who tries to think for himself and fulfill his beliefs. Not that we Marines are malcontent people, but as long as the capitalist government uses the oppressed people to achieve a more prosperous life for themselves and constantly degrades the poor people, we'll continue to protest and voice our opinions about our beliefs.

The lifers' simplicity is very obvious to snuffies and just knowing this influences the snuffies to pattern their way of living more after civilians. However, we're kept from fully exercising our beliefs because in spite of their semi-literacy, the lifers have the basic power of the military invested in them.

An example of how they use this invested power is the way they went through changes to stop Marine brothers from participating in the Moratorium. Some were put on weekend duties like riot control or forced to perform numerous other insensible duties. The brass' most powerful weapon is passing on false information that it is illegal to take part in protests like the Moratorium, and hinting or threatening outright how hard things will be on those who do participate in what the lifers consider to be obscene acts.(Obscene acts, to them, include any that contribute to a man's voicing his own opinions and philosophy.)

But for those who managed to escape the slavery chains of the military, the trip was very educational and a groovy time. We were all amazed at the number of concerned people who care about our brothers in Viet Nam and the problems that exist within the prison gates of the military. We were also awfully satisfied with ourselves because we had enough self-pride to show people that we are now going to assist in exterminating that genocidal war and the illiberal things that exist within the military. One way to start is to illuminate problems we have inside the military that people on the outside would never believe.

Being in the Corps and being treated somewhat like pet animals, we were emotionally satisfied at the way we were treated by the people we met. We were treated like men. The freedom to express our feelings and beliefs about the imperalistic war in Viet Nam and the military to the public was something we hadn't been used to. I'm positive now that more snuffies will begin to show people that we know we're men and not human robots or guinea pigs. (I don't know why the military claims to make a man out of you when all it tries to do is prevent you from using your intellect, chiefly by harassment.)

The bus we were on (Ed. note: provided by the L.A. Peace Action Council) made its first stop at the Valley Peace Center. There, a couple of Marines spoke for the group. In fact, they spoke for the majority of snuffies in the Corps. Like we were really digging on what was coming down, and sensed a new lease on life. Never before had any of us witnessed a really heavy thing like this during our life in the Corps. The people all around us were so seriously concerned about the things we have to go through in the military, and with the war as a whole. They were seeking answers from us to find out how big a problem we really face--and believe me, we do face a big problem.

After we left the Valley Peace Center, we went to the Ash Grove. It's really what's happening. It's a heavy set-up and we dug the place. It's just hard for me to get over being treated like a human being instead of some diabolical monster without any kind of metality. Nobody made any kind of criticism such as, "You're a Private and you will not integrate with us Gunnery Sergeants." We were brought in and accepted and things like rank and structure became non-existent.

We returned early in the morning. We'd been picked up by people who dug what we were doing and who did what they dug. Fortunately they weren't tied up in the binds of the military. These were people who realized the need for a better society for the poor, oppressed people (such as snuffies in the Corps) and the bourgeoisie (such as lifers in the Corps.) We were taken in and treated as if we were part of the family. And of course nobody yet had mentioned anything about being god over you because his rank was higher...

Saturday was the most heavily educational day of all. Around 10 o'clock that morning, we made it over to one of the locations where the Black Panther Party serves their Free Breakfast for Children. Brother Bryan, head of the Servicemen's Committee for the B.P.P. rapped to us and broadened our knowledge of the Breakfast Program and the basic means of the B.P.P. While we were asking questions about the way the B.P.P. functions and its major achievements, we were served hot coffee. (One of the Black sisters serving coffee had had her husband blown away by the L.A. pigs a month before.)

Then we were served a meal. We Marines weren't the only ones eating there--many children were too. We were all served grits, eggs, fried chicken, bread, and sweet rolls, thanks to funds made available by the Friends of the Panthers. From some of the non-yielding statements we had heard about the B.P.P., one would almost expect to be poisoned. But to be liberal and speak frankly, it was the best and most satisfying meal I've had in twenty months. (I've been in the Corps twenty months.) Now I don't have to wonder why I've been having little stomach pains all that time. Well, to say the least, it was definitely a change from that hog slop we are served in the pure sanitation of the military establishment. Being more than convinced of the value of such a meaningful program, we made a small donation to assist in keeping it going.

If the Panthers are such an awful organization, why do they feed children every morning who would otherwise be without anything to eat? If the fascist pigs are such a good organization, why do they go around brutalizing people and not give a damn who eats, as long as their sickening guts are stuffed? A lot of us had a change of attitude about the B.P.P. Basing our knowledge on what we'd read in newspapers and heard on the radio and through other forms of propaganda, we thought the Panthers were a racist organization. Well, there were a lot of White brothers there too, and I'm damn sure they weren't brutalized, harassed, or discriminated against in any kind of way. I can only come to one conclusion, and that is that the dollar-sign imperialists are hiding the real facts from the masses so they can continue to place dirty money in their dirty, infected pockets with their syphilitic, diseased hands.

Our next stop was McArthur Park. As we approached the stage, we were thrilled by loud, enthusiastic applause. (Ed. note: Mc Arthur Park was the site of the major L.A. Moratorium rally.) A couple of Marines made another speech. Both gave heavy raps and were really together on the major issues of mobilization activities. I'm sure they proved to everybody that we weren't there to fool around, but were totally serious and believed in what we were doing. They specified that the war in Viet Nam is only hindering the rights of the Vietnamese people, unnecessarily killing a lot of Americans and Vietnamese people, and contributing to the economy of the piggish imperialists, will oink at any chance they get-- no matter what the price-- to count some more dollar bills for their own complacency.

We realize that if 'Nam was run by the people, the voracious imperialists' standard of living would decline considerably. So what have they got to lose by that genocidal war? So what if 40,000 Americans have to be killed? It doesn't mean a thing if innocent men, women and children are being killed daily by napalm and 1,000 pound bombs.

My personal feeling is that the NVA and NLF are innocent people protecting their country from falling into the claws of U.S. imperialism. If the U.S. forces pulled out, there would be no war. Dig, there would be nobody to fight. So, down with U.S. aggression and puppet leaders such as Thieu and Ky. They are only lackeys for U.S. imperialism. In simple terms, they're just as guilty as the greedy capitalists in America. They are traitors to their people and are constantly attempting to brainwash the masses by disguising Yankee Imperialism. If Thieu and Ky are ever put on trial, they should be burnt for treason, mutiny, and false information: we all know the maximum penalty for such corrupting offenses!

Our last stop was at Topanga Canyon. It was a party being thrown in our behalf. This party was somewhat different from what you might think. Sure, we had wine, women, and music, but the most extended subject was what had happened during the activities. Never before had I witnessed such togetherness and willingness of Marines to gain knowledge from each other. We also discussed ways to conquer the liferism of the military.

If we didn't prove much, we were still a success. We proved to ourselves and other Marines that the piggish lifers can't stop us from participating in peaceful demonstrations. Now other Marines will begin to voice their opinions and beliefs and prove that we're going to contribute to the overthrow of liferism and unnecessary genocidal wars. And we'll also show that we're tired and completely irritated at these fascist pigs that are only interested in oinking their way into a higher bankroll and fattening their flabby, out-of-condition, sloppy looking bodies.

GI FIRST AMENDMENT RIGHTS TEST BEFORE FEDERAL COURT

ATTORNEY LEONARD BOUDIN ARGUES IN FAVOR OF SOLDIERS RIGHT TO DISTRIBUTE ANTI-WAR PAPER ON POST

The struggle for the right of GI's to distribute anti-war papers on post was brought before Federal District Court in North Carolina last Wednesday when attorneys Leonard Boudin and David Rosenberg of New York and Laughlin Mc Donald of Chapel Hill, N.C., argued that First Amendment rights cannot be restricted by the military. The particular case being argued refers to the right of members of GI's United Against the War in Vietnam at Fort Bragg to distribute their paper, Bragg Briefs. The decision, which will probably not be known for several weeks, will affect distribution of papers on many posts, however.

The GI's have submitted four requests to distribute Bragg Briefs since last July. Their requests have been turned down without explanation. The government claims, in an affadavit by Commanding General Tolson, that the content of Bragg Briefs "...presented a clear danger to the loyalty, discipline and morale of (my) command." Government attorneys attempted to prove to the court that the cartoons and language of the newspaper were "contemptous" and would undermine respect for authority. They also argued that the Federal government did not have jurisdiction to rule on an internal military matter, such as distribution of literature on post.

Chief Judge Algernon Butler, who heard the arguments presented by attorney Boudin and the government, posed the problem in this way: "Do military personnel suffer diminution of constitutional rights, and if so, to what extent? To what extent can freedom of speech of servicemen be restricted where civilians would be free to talk. And by what standards will such restrictions, if any, be judicially determined or examined? How may the courts absorb the competing claims of military free speech on the one hand and military discipline and control on the other?"

Attorney Boudin made several points in favor of granting distribution rights. Firstly, he argued that if there is any "criminality" in Bragg Briefs, that is, anything that would lead to refusal of duty or disobeying orders, the Army has a courts martial procedure through which such "criminality" can be judged, and that to attempt to stop it by not allowing the distribution of the paper is a form of prior censorship which violates the GI's First Amendment rights. He further stated that he did not believe there was anything in Bragg Briefs which implied "criminality."

Against the charge of undermining morale by use of alleged "contemptous" language and cartoons, Boudin pointed out that the paper, while admittedly satirical, did not direct itself at any individuals, and the right to attack a whole institution in such a manner is protected by the First Amendment.

While presenting several other points in favor of distribution (which included arguing that since the court had taken jurisdiction when it refused to stop the punitive transfer of GI's United leader Pvt. Joe Miles to Alaska, it could take jurisdiction now) the major point presented by Boudin raised the essential issue in the freedom of speech problem. This is the fact that the concept of a democratic society is built on free speech. While the government, in its brief, argued that "free speech depends on the survival of government," Boudin pointed out that, on the contrary, the survival of democratic government depends on the survival of free speech. "If we're talking about a healthy society, the healthiest society would have freedom of speech virtually without limitation." The more you allow people to express their discontent, allow robust, caustic, ill-mannered speech, the healthier society will be. The point of having freedom of speech at all is to allow people to influence society. He used as an example of this, the current movement to improve stockade conditions in the Army which has resulted from the demands of both soldiers and civilians.

The decison on this case will play a major part in the injunctive suit filed last spring on behalf of GI's at Ft. Bragg. The case before the court on distribution is in the form of a motion for summary judgment. Both the motion for summary judgment and the injunctive suit were filed by attorneys Leonard Boudin of New York, Laughlin McDonald of Chapel Hill, N.C., Howard Moore of Atlanta and Samuel S. Mitchell, of Raleigh, N.C., in association with the GI Civil Liberties Defense Committee.

GI CIVIL LIBERTIES DEF. COM.
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New York, N.Y. 10011
tel. (212) 243-4775

For further information call:
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HUEY'S APPEAL

Part 13

EDITOR'S NOTE:

The following article is taken from the appeal prepared by the attorneys defending Huey P. Newton, Minister of Defense of the Black Panther Party. Huey's attorneys have moved to have the case reviewed by the Court of Appeals of the State of California. The Black Panther News Paper will print the appeal in part--every week to give the people all the facts as to why Huey P. Newton should be set free immediately.

The defense never ceased, from November 10, 1967, until the second day of jury deliberations, in September of 1968, in its attempts to obtain the statement and the original recording.

b. The failure of the prosecution to disclose the true statement of Henry Grier constituted suppression of material evidence.

1) Suppression.

The facts permit no dispute as to the prosecution's suppression of Grier's true statement. Taking the view most favorable to the prosecution, Grier's early dictabelt-recording statement contained an ambiguity as to whether he "did" or "didn't" get a good look at Frey's assailant. The statement furnished the court and counsel by the prosecution contained the word "did."

The prosecution not only failed to disclose Grier's statement, but also represented to the court, jury and defense that Grier had earlier said exactly the opposite of what he truly said with respect to a view of the assailant's face.

The prosecution was, at the least, guilty of fraud in representing to be certain what in fact was most uncertain and what it in fact knew to be uncertain. The Legislature's definition of fraud includes:

> "2. The positive assertion, in a manner not warranted by the information of the person making it, of that which is not true, though he believes it to be true." (Civil Code section 1572, sub. 2.)

Uncontroverted evidence here shows that the prosecution was at least unsure whether the dictabelt contained the word "did" or "didn't", and yet decided to resolve the doubt in its own favor.

The prosecution furnished no courter-affidavits and never denied the fact that in an earlier work copy of the Grier transcription the prosecution's own draft contained the word "didn't." (R.T. 3763, 3773; C.T. 248).

This unilateral decision to usurp the function of judge and jury constitutes grievous misconduct. Griffin v. United States, 183 F. 2d 990 (D.C. Cir. 1950); Application of Kapatos, 208 F. Supp. 883 (S.D.N.Y. 1962); People v. Whitmore, 257 N.Y.S. 2d 787, 42 Misc. 2d 506 (1965).

As the Griffin court stated (183 F. 2d at 993):

"When there is substantial room for doubt, the prosecution is not to decide for the court..."

The prosecution's misconduct hereinabove detailed violates due process of law without regard to the showing of further prejudice. See Mooney v. Holohan, 294 U.S. 103, 55 S. Ct 340 (1935); Pyle v. Kansas, 317 U.S. 213, 63 S. Ct. 177 (1942) Miller v. Pate, 386 U.S. 1, 87 S. Ct. 785 (1967); United States v. Keogh, 391 F. 2d 138 (2d Cir. 1968); United States v. Kyle, 297 F. 2d 507 (2d Cir. 1961); People v. Kiihoa, 53 Cal. 2d 748 (1960). See further A. Ginsburg, "Disclosure to the Defense in a Criminal Case," 47 Ill. Bar Journal 194 (Nov. 1968).

The burden of proving its good faith rests with the state in the situation here presented. See Augenblick v. United States, 377 F. 2d 586 (Ct. of Claims 1967).

Yet whatever the moral quality ascribed to the sequence of prosecutorial actions (45) with respect to the production of the Grier "Dictabelt" and statement, the defendant Newton suffered extreme and incalculable prejudice as a result.

FOOTNOTE

45. Another aspect of presecutorial action mentioned above, that of hiding the very existence as well as the identity of an eye witness prior to trial, is material here. It is inconceivable that had Grier's bus been as close to the scene of the incident as he says it was, rather than where bus passenger Miller placed it, the presence of the bus would have been noted in the police reports of the officers who arrived almost immediately at the scene. The fact that not one of these reports mentioned a bus either confirms the testimony of Miller that the bus stopped quite a distance away (thus impeaching Grier and explaining why there were so many serious discrepancies in Grier's accounts of the incident contemporaneously and at the trial), or strongly suggests a conscious deletion of all mention of the bus in all police reports, in order to ensure that defendant would have no prior notice of the possibility of the production of such a witness.

END FOOTNOTE

The facts in this matter come squarely under the ruling of the United States Supreme Court in Brady v. Maryland, 373 U.S. 83, 87, 83 S. Ct. 1194 (1963), where the court said:

> "We now hold that the suppresion by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution."

The history of defendant's numerous requests is set forth, supra. There is no dispute that a crucial part of Grier's statement remained undisclosed, indeed, misrepresented, until after the jury had retired, and, therefore, until after the defendant's opportunity to effectively employ the statement had passed.

Timing of discovery is recognized as vital by the courts. In Tupper v. Superior Court, 51 Cal. 2d 263, 265 (1958), the court said:

> "The value to defendant of seeing the statements made by the witnesses is that to do so might enable him to impeach their testimony at the trial."

And see Jencks v. United States, 353, U.S. 657, 77 S. Ct. 1007 (1957). Therefore, if disclosure is to be of value to the defense, it must be made at least "before the taking of the accused's evidence is complete". Hamric v. Baily, 386 F. 2d 390, 393 (4th Cir. 1967)

The trial court's denial of defendant's motion to reopen the trial to receive the additional evidence when finally discovered resulted in the jury's remaining unaware of Grier's true statement and of the prosecution's non-disclosure and, of course, the jury therefore continued to accept the misrepresentation as the truth (R.T. 3845-46).

2) Materiality and prejudice.

Evidence which pertains to a prosecution witness's credibility clearly qualifies as "material" evidence within the Brady rule. Napue v. Illinois, 360 U.S. 264, 79 S. Ct. 1173 (1959); Jencks v. United States, supra; Loraine v. United States, 396 F. 2d 335 (9th Cir. 1968); United States v. Poole, 379 F. 2d 645 (7th Cir. 1967); Levin v. Katzenbach, 363 F. 2d 287 (D.C. Cir. 1966).

The United States Supreme Court held in Napue that due process required disclosure of "credibility" evidence, since (360 U.S. at 269, 79 S. Ct. at 1177):

> "The jury's estimate of the truthfulness and reliability of a given witness may well be determinative of guilt or innocence."

The materiality of prior statements is also clearly evidenced by the long line of California Supreme Court decisions requiring prosecution disclosure of such statements. People v. Chapman, 52 Cal. 2d 95 (1959); People v. Estrada, 54 Cal. 2d 713 (1960); People v. Shipp, 59 Cal. 2d 845 (1963).

In Chapman, the California Supreme Court emphasized the materiality of such prior statements (52 Cal. 2d at 98):

> "The value of obtaining such statements, paticularly where they were made before time dulled the memory of the witness, is obvious. The statements may contain contradictions of the testimony of the witness, may omit some facts related by the witness at the trial, or may reveal a contrast in emphasis placed on the same facts."

So, too, the very order of the trial court here that the statement be produced when the jury was sworn in admits the materiality of the complete statement (R.T. 3802-03).

The California cases hold that taped recordings as well as written statements are subject to discovery. Vance v. Superior Court, 51 Cal. 2d 92 (1958); Funke v. Superior Court, 52 Cal. 2d 423 (1959); Cash v. Superior Court, 53 Cal. 2d 72 (1959). In Cash the California Supreme Court said (at page 76):

> "(C) areful study of the details of the (recorded) conversations, particularly if there were ambiguities, would be necessary for an intelligent preparation of the defense, and the recordings... would prove the most reliable source of such details."

Grier's statement not only included "details" of which the tape recording proved to be the "most reliable source," the tape was discovered to be the only reliable source of "certain contradictions of the testimony of the witness" declared so valuable by the Court in Chapman.

The vital importance of "in-court identification" and all the preceding procedural steps leading up to it was recognized in Gilbert v. California, 388 U.S. 263, 87 S. Ct. 1951 (1967), where the Supreme Court held that in-court identifications "without first determing that they were not tainted by the illegal line up but were of independent origin was constitutional error." (388 U.S. at 272).

The rationale of the "line-up" case, United States v. Wade, 388 U.S. 218, 87 S. Ct. 1926 (1967), was that police conduct of such a line up without notice to and in the absence of counsel denies the accused his Sixth Amendemnt right to counsel. How much more does non-disclosure or furnishing inaccurate transcriptions of what was really seen and said by the witness at the time of the incident and shortly thereafter deny an accused the right to effective counsel and fundamental due process of law.

The question of identification is always critical; it is well known to be a fragile, precarious matter subject to mistakes, vagaries of memory, and human fallibility.

> "The vagaries of eyewitness identification are wellknown;...The identification of strangers is proverbially untrustworthy...'(T) he influence of improper suggestion upon identifying witnesses probably accounts for more miscarriages of justice than any other single factor...' Wall, Eye-Witness Identification in Criminal Cases 26." United States v. Wade, 388 U.S. at 228-9.

When a man changes his story from an uncertain identification within an hour and a half after witnessing a shooting, to a positive identification ten months later in a courtroom, every piece of accurate information concerning his earlier statements with respect to what he saw and what he could identify becomes vital.

When the information in question goes to the essence of the identification by the only eyewitness to the critical events of an alleged first degree murder, and when the prosecution asks for the death penalty, every factor bearing on that witness's credibility, accuracy and perception is critical.

Grier was in agreement with Tommy Miller that it was dark (R.T. 2733-34). Even when shown defendant's picture and told this was the suspect, Grier could not be sure defendant was the man--one hour and a half after it happened (R.T. 2124). That he, in fact, did not get a good look at the man's face goes to the very essence of the question of identification. Inaccurate transmission of this information to the jury was critically prejudicial to the defendant.

That the defendant was at the location and, minutes prior to the events Grier described, was walking with Frey, gives still more importance to the fact that Grier did not see the face of the man who shot Frey, particularly when his early description differed so from the one fitting the defendant. The original assailant was described as pee-wee (R.T. 2120), under five feet and who was, according to Heanes and Grier's early statement wearing a light tan jacket (R.T. 2099), whereas the defendant was 5'10" and wearing a black leather jacket.

The prejudice inherent in a trial situation where the defense is rendered unable to submit a hostile witness to thorough and searching cross-examination is well recognized in the decisions of the California and United States Supreme Court. The United States Supreme Court has often remarked on the importance a prior statement has in the fact-finding process. In Jencks, supra, the Court stated:

> "Every experienced trial judge and trial lawyer knows the value for impeaching purposes of statements of the witness recording the events before time dulls treacherous memory. Flat contradiction between the witness' testimony and the version of events given in his reports is not the only test of inconsistency. The omission from the reports of facts related at the trial, or a contrast in emphasis upon the same facts, even a different order of treatment, are also relevant to the cross-examining process of testing the credibility of a witness' trial testimony." (353 U.S. at 667)

Again, in Napue v. Illinois, supra, the Court adopted the language of People v. Savvides, 1 N.Y. 2d 554, 557, 136 N.E. 2d 853, 154 N.Y. S. 2d 885 (1956), on the subject of prejudicial effects of prosecution misrepresentation, whether intentional or not (360 U.S. at 269-70):

> "It is of no consequence that the falsehood bore upon the witness' credibility rather than directly upon defendant's guilt. A lie is a lie no matter what is subject...That the district attorney's silence was not the result of guile or a desire to prejudice matters little, for its impact was the same, preventing as it did, a trial that could in any real sense be termed fair."

California courts, finding the error "fatally prejudicial" have reversed convictions where the defense was not allowed to use the prior statement or notes of a prosecution witness during cross-examination. People v. Vigghiany, 181 C.A. 2d 621, 629 (1960); People v. Silberstein, 159 C. A. 2d Supp. 848 (1958); see also, United States v. Poole, supra, 379 F. 2d 645, and Levin v. Katzenbach, supra, 363 F. 2d 287, reversing on the prejudice inherent in preventing the defense from presenting all evidence weakening the credibility of a prosecution witness.

In addition to the serious prejudice suffered during the evidentiary proceedings by virtue of the suppression and misrepresentation of the statement, Newton suffered on an additional and special prejudice by way of the prosecutions emphasis on the misrepresented fact in closing argument.

The Grier statement contained ambiguity and repeated reference to inability to identify the persons at the location of the incident. At that trial, Grier emphatically insisted that the defendant was the person Grier saw tussling with and shooting Officer Frey.

From the time that the defense was furnished with the typed transcript of Grier's statement until discovery of the truth during jury deliberations, there was nothing other than the context of Grier's entire statement to indicate that there was an error of his statement as "I couldn't--I did get a clear picture, clear view of his face, but--because he had his headlights of the coach, and I couldn't get a good look."

Nevertheless, analysis of the entire statement and of Grier's testimony on direct and under cross-examination convinced the defense that this word "did" was somehow in error.

In view of the continuing refusal of the prosecution to furnish the original recording (be it tape or dictabelt), the defense relied upon the good faith of the prosecution and of the District Attorney as an officer of the court, and continued to cross-examine Grier upon the basis of the statement which the prosecution had given him (Declaration of Charles R. Garry in Support of Motion to Re-open Trial, etc., C.T. 246).

For purposes of illustration at closing argument, Garry had certain portions of the early statement and of Grier's trial testimony printed onto large charts. In view of the internal contradiction of the sentence in question and all of Grier's other inconsistencies, Garry did not have this phrase "I did (get a clear view of his face)" printed thereon, as he was convinced the phrase was someway in error (C.T. 247).

The District Attorney then stated in his closing argument (R.T. 3709-10) as follows:

> "(Mr. Jensen) All right. So, what we were told here, this is supposedly a discrepancy; that there is some major kind of change that has taken place in this testimony, and yet his testimony remains basically the same.
>
> "Maybe he said something different in terms of feet (fact); but what he says is that 'I came closer to the scene, and as I did I saw this action.' Now, where is the diabolical plot?
>
> "All right. Then we have some other areas in terms of his testimony. We hear on this question over there, No. 5:
>
> " 'Q. About how old?
>
> " 'A. I couldn't say, because I only had my lights' *** (46.) 'because he had his head kind of down facing the headlights of the coach, and I couldn't get a good look.'
>
> "Well, let me read that to you."

CONT. ON PAGE 16

STATEMENT BY MINISTER NGUYEN THI BINH

CONT. FROM PAGE 12

principles of peaceful coexistence.

The South Viet Nam problem can only be settled correctly on the basis of the respect for these legitimate aspirations. The National Front for Liberation and the Provisional Revolutionary Government of the Republic of South Viet Nam have put forward the 10-point overall solution. This solution has no other objective but to ensure the fundamental national rights of the Vietnamese people and the right of the South Viet Nam people to self-determination.

Stemming from these rights, the South Viet Nam people resolutely demand that the United States put an end to its war of aggression, withdraw promptly and totally from South Viet Nam its troops as well as those of the other foreign countries in the U.S. camp, without posing any conditions whatsoever. They also demand that the United States disown the Thieu-Ky-Khiem administration in Saigon and that a provisional coalition government be set up in South Viet Nam to organize free and democratic general elections so as to decide the political future of South Viet Nam.

These are legitimate demands. These are the demands of any nation subjected to foreign aggression.

With the 10-point overall solution, the Vietnamese people have no intention to compel the United States to "surrender" nor do they want to smear the U.S. honour. The Vietnamese people only demand that the U.S. government stop its aggression and act in a reasonable way. The fact that the American people through their present struggle voice the same demands has eloquently testified to the correctness and the logical, reasonable and realistic character of the 10-point overall solution advanced by the National Front for Liberation and the Provisional Revolutionury Government of the Republic of South Viet Nam. The U.S. government pretends that "it is ready to negotiate on the basis of the fundamental national rights of the Vietnamese people". Why then does the U.S. delegate try so hard to oppose this overall solution? Obviously, the United States diregards the aspirations for peace and the legitimate demands of the people in Viet Nam, in the United States and in the world all over.

That is why the Vietnamese people are determined to keep on fighting until final victory. That is also why the American people are unceasingly stepping up their movement of opposition against the Nixon administration's war of aggression.

The Vietnamese people will never give up the objectives of their correct patriotic struggle. In order to restore peace really, the U.S. government must give a serious response to the legitimate demands as laid down in the 10-point overall solution of the National Front for Liberation and the Provisional Revolutionary Government of the Republic of South Viet Nam. On the basis of this solution, the P.R.G. is ready, together with the other parties, to settle the South Viet Nam problem rapidly and reach an agreement so as to put an end to the war and restore peace.

Whether peace is restored or not, whether it is promptly achieved or not only depends on the Nixon administration: the Vietnamese people, the American people and the world public opinion expect that administration to give an answer to this question.

Will It Be The Flower Or The Thorn

CONT. FROM PAGE 8

ther, for they both see the other as one of the main stumbling blocks on their road toward victory. It is clear to me that the two movements are going in two different directions, however, some say that it is possible to reconcile these differences between the two movements if both of them acknowledge each other's position as different methods for obtaining the "same" goals. I see this position as logically inconsistent. I base this on the belief that MEANS AND ENDS ARE ONE AND THE SAME. If your end is peace-so too are your means, on the other hand, if your end is power then your means will be whatever it takes to obtain that desired power. (I use the definition of POWER laid down by Huey P. Newton. "Power is the ability to define a phenomena and make it act in a desired manner." In the case of the Black Panther Party the phenomena is the lives of oppressed people and the desired act is for oppressed people to have power over their lives so that they may control their future: a future free of oppression in which people can develop to their highest potential--Socialist man.) From this I conclude that the two movements are antagonistically contradictory and are bound to end up at bitter odds with each other. The only solution is for both movements to realize where they are vis-a-vis each other an to come together on some kind of common ground of interest or to move completely and separately along their own paths while waiting for judgment day. This would mean separate rallies, demonstrations and every other form of political activity.

It is time we stopped all this bulls--t quibling over whether or not the revolution is to be violent or non-violent and realize once and for all that the existence of this debate is recognition of the existence of two separate movements with separate goals, methods and interests an let us begin to focus the debate on the real issue at hand, PEACE or POWER.

POW's FOR PANTHERS

Roland Young

LET US GO THIS WAY

CONTINUED FROM PAGE 6

the century is by no means of chauvinistic nationalism of the preceeding century, but is a watchword of individual nations and countries for self defense to safeguard their sovereignty against imperialist aggression carried on in a covert form according to the jungle law under the spurious name of mutual benefit and equality. This must be borne in mind. It is a general knowledge that the nationalism advocated by all the lagging countries of the world today is on no account to be compared to racism advertised by Nazi Germany or imperialist Japan, which boils down to this: "Our nation is the most superior nation in the world." But it represents the consciousness of national identity aspiring to building a dignified, perfect independent state by rounding off and cultivating one's own things and to participating in international politics on an equal footing with other countries, defending one's country against the encroachment of foreign forces and not tolerating another's domination or interference.

Those who regard this nationalist idea and awareness of national identity as something dangerous or criticize them negatively, deliberately presenting them in a distorted light, are either flunkies towards great powers or traitors who sell out their country. Just as we are unable to negative our past, so we are unable to negative our present or future. We must have the tomorrow and we will have it after all... We are not such a pitiable nation either as to tolerate the present reality in which we are begging our bread with our sovereignty mortagaged to others.

After all, "we are we". The Korean nation is precisely the Korean nation and cannot be the German or Japanese.

We are however not so rich or superior as to be able to benefit others at our own expense, and, moreover, our tattered history of the past eloquently proves it unwarranted for us to dance to the tune of others.

What were the costs of our fellow countrymen who were dragged out to the aggressive war of the Japanese imperialists and died in vain in the detestable name of the subjects of the Japanese Empire on the pretext of defending peace in the East? That was all caused by the doings of foreign forces. Therefore, we cannot tolerate the repetition of that same tragic history.

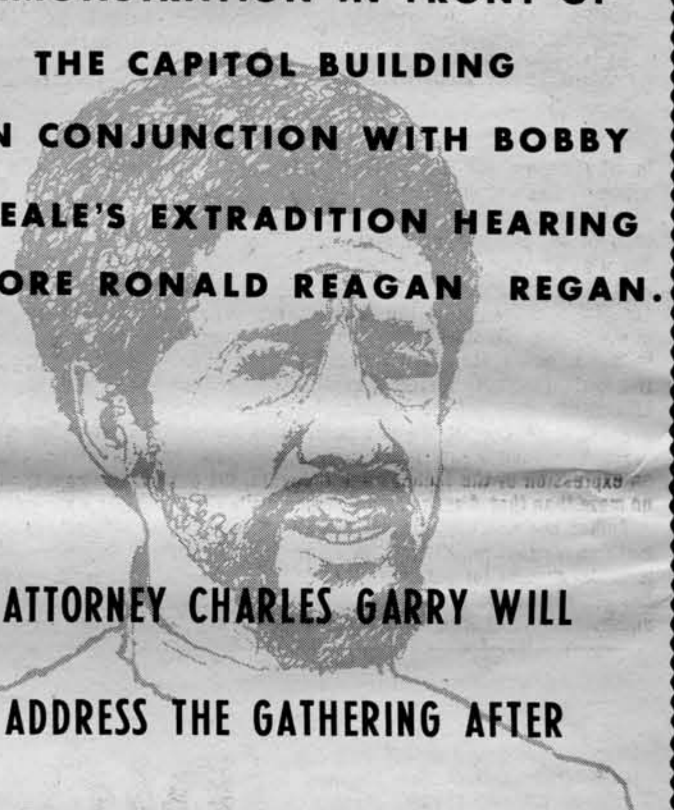
Now we must create our own epoch by our own hands in which we live for our own sake. Let us go this way until the last moment of our lives, not for others but for the sake of safeguarding and cultivating our own things.

This is the road our nation must follow.

SACRAMENTO

DECEMBER 9

DEMONSTRATION IN FRONT OF THE CAPITOL BUILDING IN CONJUNCTION WITH BOBBY SEALE'S EXTRADITION HEARING BEFORE RONALD REAGAN REGAN.



ATTORNEY CHARLES GARRY WILL ADDRESS THE GATHERING AFTER THE MOTION HAS BEEN FILED.

FREE ALL POLITICAL PRISONERS

HUEY'S APPEAL

CONT. FROM PAGE 15

" 'Q. About how old?

" 'A. I couldn't say, because I only had my lights on, I couldn't.'

"Now, 'I couldn't', is not there. I suppose that is part of the '***.' Now, let me read you the rest of '***.'

" 'I couldn't--I did get a clear picture, clear view of his face, but--because he had his head kind of down, facing the headlights of the coach, and I couldn't get a good look.'***, is, 'I did get a clear picture, clear view of his face.'

"But why is that out of there? That was what the man said in his statement. The '***' is over there, and we are supposed to say the man didn't get a good view. He is telling you here that he didn't say that before.

"Well, that is very convenient. We leave out the portion that says, 'I got a clear view of his face.' All right. Now, where is the impeachment there? Where is it that says that Mr. Grier is not telling us the truth?" (Emphasis added.)

FOOTNOTE

46. Portions of the statement left out of defendant's illustrative charts are represented, to show the omissions, as "***."

END FOOTNOTE

The prosecution's closing argument was the last presented to the jury. The defense had no chance to rebut or answer this argument.

It is clear that the jury failed to believe Grier to some extent, since the manslaughter verdict in inconsistent with Grier's testimony on several points. It is impossible to say whether the additional, major inconsistency, which remained unknown to the jury, would have changed the delicate balance on the jury from the verdict of manslaughter to verdict of acquittal or of an even lesser offense. Nevertheless, the error is clearly not harmless beyond a reasonable doubt. Before a federal constitutional error can be held harmless, the court must be able to declare a belief that it was harmless beyond a reasonable doubt. Chapman v. California, 386 U.S. 18, 24, 87 S. Ct. 824 (1967).

The misrepresented portion of the statement bore directly on the question of identification as well as on Grier's credibility. During the trial Henry Grier identified the defendant as the man who shot Frey by walking across the courtroom to place his hand on the defendant's shoulder (R.T. 2045). One can only conjecture as to what degree the jury's belief in all that Grier said would have been shaken if Grier, after this dramatic gesture, had been forced to admit that he had told the police an hour after the incident that he had not seen the face of the man who shot Frey.

The erroneous statement, "I did get a clear picture, clear view of his face," was emphasized again and again during the prosecution's final argument and was set out in stark relief in nearly the last words the jury heard before retiring. The jury twice requested the transcript of Grier's statement during its deliberations (R.T. 3761, 3764). Grier was the only witness who claimed to see a gun in the defendant's hands.

Although the jury apparently rejected most of Grier's testimony, the verdict logically implies that the jury believed the defendant to be the agency of Frey's death. Grier's testimony was the major source of this conclusion. if such the jury concluded. Had the jury had the true transcript, or had both prosecution and defense counsel proceeded during the trial by use of the true rendition of the word "did" as "didn't," the jury would have known the true fact that there was one more vital discrepancy between Grier's early statement and his trial testimony.

The defendant suffered prejudice, not only from the emphasis in the prosecution's closing argument of the inaccurate "did" (see the face of the assailant), but from the prosecution's suggestion that defense counsel had deliberately sought to mislead the jury. The "did"--"didn't" problem came from the prosecution's conscious mistake, known to the prosecutor at the time he argued to the jury that it was the defense who was misleading them on the point. The prosecutor had in his hand, in the courtroom where the trial took place, during the arguments concerning this statement, a work copy used by the prosecution during its trial preparation in which this word was rendered as "didn't." (R T. 3763)

At best the prosecution knew that there was a reasonable question about whether the word was "did" or "didn't." Rather than submit the question to the court for resolution or permit the defense to listen to the dictabelt and submit its views, the prosecution quietly and secretly resolved this in its favor and then argued to the jury that the defense was attempting to mislead them. When a man's life is at stake, this can be deemed no less than prosecutorial misconduct.

TO BE CONT. NEXT ISSUE



Designed By Emory

SEIZE THE TIME

REVOLUTIONARY ALBUM NOW AVAILABLE

The revolutionary album called "Seize The Time" by Elaine Brown, that the Black Panther Party has promised to the people since October is now on sale.

Elaine, Deputy Minister of Information of the Southern California Chapter, whose songs you have heard live at our rallies and speaking engagements, has taped the feelings of the Black Panther Party and is inviting the people to enjoy and learn (the words to the songs are printed on the inside of the cover), and begin to have a deeper understanding of your Vanguard Party.

The album is being distributed to record shops and will be available soon. You can obtain the album now at:

Black Panther Party
National Distribution
Tel: 415-922-6322

Black Panther Party
National Headquarters
Tel: 415-845-0103

Southern California Chapter
Black Panther Party
Tel: 213-235-4127

In all societies, the way of life of the people, their culture, mores, customs, etc., evolve from the economic basis of that society. The United States is a capitalist society, the system of capitalism being one of exploitation of man by man, with by-products such as racism, religious chauvinism, sexual chauvinism, and unnatural divisions among the people. In other words, it's a dog-eat-dog society. But it's not a dog-eat-dog world.

Men are not innately greedy, nor are they innately uncooperative with each other. Therefore, it is our goal, it is the goal of the Black Panther Party, and must be the goal of all men, to create conditions in which men can start being human, can begin to cooperate with each other, can live with each other, in fact, in peace. Men cannot do this without an arena in which to do so. In other words, in an exploitative system men are forced to exploit. In an unkind system, men are forced to be unkind. In a world of inhumanity, men will be inhuman. In a society that is warmongering, men will war. These are the aspects or the way of life of a people who are part of a capitalist system.

And songs are a part of the culture of society. Art, in general, is that. Songs, like all art forms, are an expression of the feelings and thoughts, the desires and hopes, and so forth, of a people. They are no more than that. A song cannot change a situation, because a song does not live and breathe. People do.

And so the songs in this album are a statement — by, of, and for the people. All the people. A statement to say that we, the masses of people have had a game run on us; a game that made us think that it was necessary for our survival to grab from each other, to take what we wanted as individuals from any other individuals or groups, or to exploit each other. And so, the statement is that some of us have understood that it is absolutely essential for our survival to do just the opposite. And that, in fact, we have always had the power to do it. The power to determine our destinies as human beings and not allow them to be determined by the few men who now determine them. That we were always human and always had this power. But that we never recognized that, for we were deluged, bombarded, mesmerized by the trinkets of the ruling class. And this means all of us: Black, Mexican, White, Indian, Oriental, Gypsy, all who are members of the working class, of the non-working class (that is, those who don't have jobs), all who are oppressed.

This means all of us have this power. But the power only belongs to all of us, not just some or one, but all. And that was the trick. That was the thing we never understood. And that is what statement these songs make.

ALL POWER TO THE PEOPLE.
SEIZE THE TIME.

Elaine Brown

Elaine Brown
Deputy Minister of Information
Southern California Chapter
Black Panther Party

DIG

By Eldridge Cleaver



From "Revolution and Education"

"...the process of breaking out of slavery, the process of breaking out of a set of social arrangements, of a social organization that is killing us, this process is named revolution;...revolution is a glorious term, it's a term to be proud of, and we should know that we are morally right, we are right in every sense of the term, that the oppressor is the one who is wrong; and that the oppressor has no rights, which the oppressed are bound to respect..."

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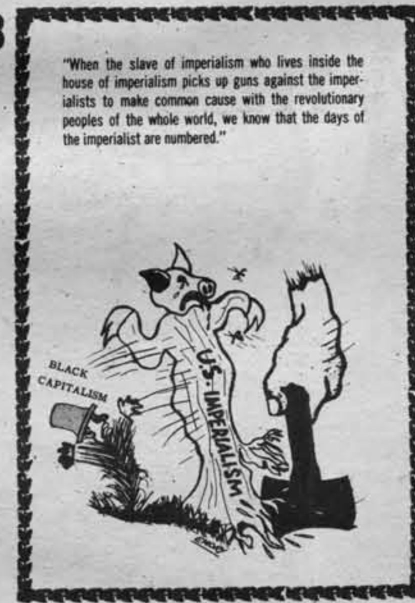
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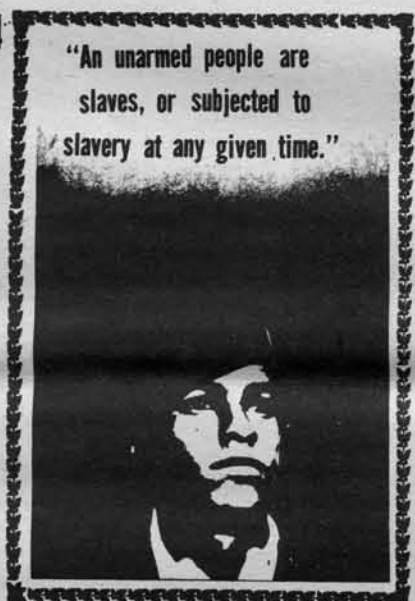
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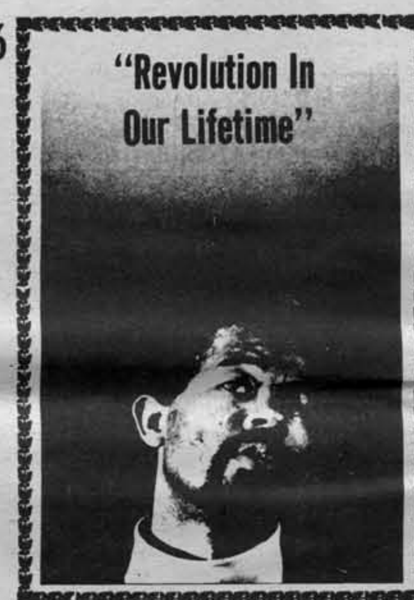
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For further Information call

(415) 922-6322 San Francisco, Calif.

845-0103 Berkeley, Calif.

October 1966

Black Panther Party Platform and Program

What We Want What We Believe



FREE HUEY

Minister of Defense, Black Panther Party

1. We want freedom. We want power to determine the destiny of our Black Community.

We believe that black people will not be free until we are able to determine our destiny.

2. We want full employment for our people.

We believe that the federal government is responsible and obligated to give every man employment or a guaranteed income. We believe that if the white American businessmen will not give full employment, then the means of production should be taken from the businessmen and placed in the community so that the people of the community can organize and employ all of its people and give a high standard of living.

3. We want an end to the robbery by the CAPITALIST of our Black Community.

We believe that this racist government has robbed us and now we are demanding the overdue debt of forty acres and two mules. Forty acres and two mules was promised 100 years ago as restitution for slave labor and mass murder of black people. We will accept the payment in currency which will be distributed to our many communities. The Germans are now aiding the Jews in Israel for the genocide of the Jewish people. The Germans murdered six million Jews. The American racist has taken part in the slaughter of over fifty million black people; therefore, we feel that this is a modest demand that we make.

4. We want decent housing, fit for shelter of human beings.

We believe that if the white landlords will not give decent housing to our black community, then the housing and the land should be made into cooperatives so that our community, with government aid, can build and make decent housing for its people.

5. We want education for our people that exposes the true nature of this decadent American society. We want education that teaches us our true history and our role in the present-day society.

We believe in an educational system that will give to our people a knowledge of self. If a man does not have knowledge of himself and his position in society and the world, then he has little chance to relate to anything else.

6. We want all black men to be exempt from military service.

We believe that Black people should not be forced to fight in the military service to defend a racist government that does not protect us. We will not fight and kill other people of color in the world who, like black people, are being victimized by the white racist government of America. We will protect ourselves from the force and violence of the racist police and the racist military, by whatever means necessary.

7. We want an immediate end to POLICE BRUTALITY and MURDER of black people.

We believe we can end police brutality in our black community by organizing black self-defense groups that are dedicated to defending our black community from racist police oppression and brutality. The Second Amendment to the Constitution of the United States gives a right to bear arms. We therefore believe that all black people should arm themselves for self-defense.

8. We want freedom for all black men held in federal, state, county and city prisons and jails.

We believe that all black people should be released from the many jails and prisons because they have not received a fair and impartial trial.

9. We want all black people when brought to trial to be tried in court by a jury of their peer group or people from their black communities, as defined by the Constitution of the United States.

We believe that the courts should follow the United States Constitution so that black people will receive fair trials. The 14th Amendment of the U.S. Constitution gives a man a right to be tried by his peer group. A peer is a person from a similar economic, social, religious, geographical, environmental, historical and racial background. To do this the court will be forced to select a jury from the black community from which the black defendant came. We have been, and are being tried by all-white juries that have no understanding of the "average reasoning man" of the black community.

10. We want land, bread, housing, education, clothing, justice and peace. And as our major political objective, a United Nations-supervised plebiscite to be held throughout the black colony in which only black colonial subjects will be allowed to participate, for the purpose of determining the will of black people as to their national destiny.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. **That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.** Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. **But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.**


EMORY
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IS THE SEED OF A REVOLUTION.